



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

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Promoting the wise use of land
Helping build great communities

MEETING DATE August 25, 2005	CONTACT/PHONE Elizabeth Kavanaugh 805/788-2010	APPLICANT John Fetyko	FILE NO. Tract 2644/Conditional Use Permit SUB2003-00246
SUBJECT Request by John Fetyko for a Vesting Tract Map, and a Conditional Use Permit to allow a cluster subdivision, to subdivide an existing 1.8 acre parcel into seven parcels: six residential parcels ranging in size from 3,999 square feet to 6,760 square feet, and an open space parcel of approximately 42,097 square feet, which consists of an approximately 10,040 square feet on-site private access road and 32,057 square foot open space area. The applicant has requested a waiver of the road standard that limits the number of lots to be served by a private access easement to five, because this project will have six lots receive access from a private access easement. The proposed project is within the Residential Single Family land use category and is located on the west side of Old County Road, at 96 Old County Road, north of the Old County Road/Las Tablas Road (Canon Street) intersection in the community of Templeton. The site is in the Salinas River planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Tract 2644 and Conditional Use Permit based on the findings listed in Exhibits A and C and the conditions listed in Exhibits B and D.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 14, 2005 for this project. Mitigation measures are proposed to address Air Quality, Biological Resources, Geology and Soils, Noise, Recreation, Transportation and Water and are included as conditions of approval.			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Flood Hazard Area	ASSESSOR PARCEL NUMBER 041-031-006	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: Compliance with the Templeton Community Design Plan, Cluster Land Division Incentive, Preservation of Natural Features, Land Division Limitation, Residential Single Family Design Standards.			
LAND USE ORDINANCE STANDARDS: Underground utilities			
EXISTING USES: Vacant			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/ Undeveloped, Toad Creek <i>South:</i> Residential Single Family- Single Family residences <i>East:</i> Office and Professional/ Commercial Retail/ Offices and Auction House <i>West:</i> Residential Single Family: Toad Creek/ Single Family Residences			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Templeton Area Advisory Group, Public Works, Environmental Health, County Parks, Templeton Community Services District, Templeton Fire Department, APCD, Regional Water Quality Control Board	
TOPOGRAPHY: Gently to moderately sloping	VEGETATION: Non-native grasses, non-native trees, oak trees, and riparian
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Templeton Fire Department	ACCEPTANCE DATE: November 24, 2004

BACKGROUND

This application was originally submitted as an 11-lot subdivision with a 17 percent open space lot. The Salinas River Area Plan allows the option for an open space parcel smaller than required in Section 22.22.140 of the Land Use Ordinance, if it protects an important biological feature. The standard open space requirement for a cluster subdivision in Residential Single Family is 40 percent. Staff determined the requested 17 percent open space lot would not protect Toad Creek's riparian area or allow for the desired trail along Toad Creek that the Templeton Community Design Plan encourages. The project was redesigned described below.

SITE DESCRIPTION

This site has several constraints. The site is a triangle shape with a creek and a large healthy riparian area running through one corner. Opposite the riparian area are slopes up to 18 percent. The site has busy collector roads along two sides of the triangle and a future collector road along the final leg of the triangle. In addition, the site has five large oak trees, two that are along the right-of-way of Old County Road. In consideration of these constraints, the project has been redesigned and includes the following features:

- A 120-foot setback from the top of bank of Toad Creek. Templeton Community Design Plan requires 50 feet.
- A 40 percent open space lot per the Land Use Ordinance requirements for a cluster subdivision.
- A recreation trail.
- An open space area usable for passive recreation.
- Building envelopes located off the steepest slopes, to minimize grading and protect Toad Creek.
- All Development outside of the Flood Hazard Area.
- Preservation of on-site oak trees.

ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.140 of the Land Use Ordinance establishes standards for determining density, lot size and open space requirements for a cluster subdivision in the Residential Single Family land use category. The proposed parcels meet all requirements for parcels as follows:

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Lot Size	Allowable/Required	Proposed	Complies w/Standard?
Density - gross site area per Templeton Area Plan / allowable density	1.8 acres (78,408 square feet / 7,500 square feet = 10 buildable lots	6 buildable lots	Yes
Minimum parcel size	2,000 square feet	3,999 to 6,760 square feet	Yes
Open Space Parcel Minimum Area	40% of gross site area 1.8 acres (78,408 square feet (.40) = 31,363 square feet	40.8% 32,052 square feet	Yes

Underground Utilities

Section 22.10.160 of the Land Use Ordinance requires all new structures to install underground utilities.

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with all but one of the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance. Section 21.03.020(d)(7) allows only five lots to be served by a private easement. The proposed subdivision has a private easement road that is proposed to serve six lots. However, Section 21.03.020 outlines an adjustment process to this design standard.

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Adjustments

Section 22.03.020 allows an applicant to request an adjustment of the design standards of the Real Property Division Ordinance, providing three findings can be made. The project requires a request to waive Section 21.03.020(d)(7), which allows only five lots to be served by a private easement. The proposed subdivision is proposing a private easement that serves six lots. Staff supports this waiver because granting this waiver meets the three required findings.

- 1) *There are special circumstances or conditions affecting the subdivision.*
This subdivision has many constraints unique to this site as discussed in the site description section of this report. If this waiver is not granted and separate driveways are required along Old County Road, a significant amount of additional grading in close proximity to Toad Creek would be required because most of the driveways would require grading of the 18 percent slope along Old County Road. In addition separate driveways could lead to removing two large oak trees that are preserved in the proposed plan.
- 2) *Granting of the adjustment will not have a material adverse effect upon the health or safety of person residing or working in the neighborhood of the subdivision.*
Granting this adjustment will benefit the health and safety of persons residing or working in the neighborhood of the subdivision, because as the subdivision is designed all six buildable lots receive access from one point off a busy collector Road. If the waiver was not granted the applicant would still qualify for the same number of lots but all lots would take direct access from individual driveways along these busy collector roads, creating additional opportunities for accidents.
- 3) *Granting of the adjustment will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood of the subdivision.*
Staff has determined that granting this waiver would not be injurious to other property or improvements in the neighborhood of the subdivision because allowing all lots to access from one point is a safer option for car and pedestrian traffic in the area. In addition, the applicant will provide the all improvements requested by Public Works Department along Old County Road and Las Tables Road (Cannon Road). This includes, as conditions of this approval, a landscaped fence area and a sidewalk that will preserve two large oak trees and become a safe pedestrian path for the area residents.

PLANNING AREA STANDARDS:

Cluster Land Division Incentive – The Salinas River Area Plan encourages Cluster Division of land with important biological features such as creeks, riparian areas, or a scenic site. This section offers an incentive to the applicant who cluster lots by offering the option of a smaller open space lots than what is required in the Land Use Ordinance's cluster subdivision section. This project does not need to take advantage of this incentive because it meets the Land Use Ordinance standard to provide an open space parcel that is 40 percent of the site.

Compliance with the Templeton Community Design Plan- All development shall comply with the standards of the Templeton Community Design Plan. The Additional Map Sheet requires all subsequent buildings meet the standards and guidelines of this plan.

Preservation of Natural Features- New development of subdivisions shall be designed to retain significant features such as oak trees, riparian area, and prominent hills. This project preserves the site's creek, riparian area, and on-site oak trees.

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Land Division Limitation – Templeton Urban area has a 7,500 square foot minimum parcel size requirement for all new Residential Single Family subdivisions. The 7,500 square foot minimum parcel size is the base density for this cluster subdivision per the Land Use Ordinance

Residential Single Family Design Standards –

- Driveway width is limited to 16 feet,
- Garages shall be located five feet further back from the street than the residence, and
- Fencing seen from public roads shall be constructed in compliance with the Templeton Community Design plans.

These standards are required of development on these lots and are listed in the additional map sheet.

TEMPLETON COMMUNITY DESIGN PLAN STANDARDS AND GUIDELINES

Guideline V.A.1: Varied front yard setback

Not Met – Staff has determined that requiring this guideline on this project would cause building envelopes to be pushed up higher on the 18 percent slopes along Old county Road. This would increase grading and may further impact the on-site oak trees along Old county Road.

Guideline V.A.2: Lot shape variety

Met– This project meets this standard by providing lots that vary in size.

Guideline V.A. 4: No more than 25% of a lots' frontage may be used for a driveway opening.

Conditionally Met: Future homes on these lots are required to meet this guideline.

Guideline V.A.5: Driveways should be over 20 feet long

Conditionally Met: Future homes on these lots are required to meet this guideline.

Guideline V.A.6: Village Block Preservation

Met: – This project protects the grid pattern by lining the lot along Old County Road.

Guideline V.A.7: Orientation of residences to face a collector street with driveways and garages facing an alley.

Partially met - This project meets this guideline in that the garages and driveways will be located off the collector road and in an alley like private access road. However the 18 percent slope of the site adjacent to Old County Road would require a great deal of additional grading to place houses along the street frontage. In an effort to preserve the intent of this guideline, a condition has been placed that requires the same level of details on the sides of homes that face Old County Road and Las Tables Road, (Cannon Road) and the new Las Tables Road as on the front of the homes.

Guideline V.A.8: Plant one tree for every 25 feet of street frontage adjacent to a street within 15 feet of the property line.

Conditionally met – This project is conditioned to plant 33 street trees along Old County Road and Las Tables Road (Cannon Street) .

Guideline V.A. 9: Street Lighting. Provide street lighting within the residential area in harmony with the scale and character of the dwellings and protect the night sky.

Not Met – The Templeton Area Advisory Committee required this project provide no street lighting. This project does include four two-foot high bollard lights along the access road.

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COMBINING DESIGNATIONS:

Flood Hazard – The northwestern corner of this site is located in the Flood Hazard Area. However, all development will occur outside of the Flood Hazard Area. Section 22.14.060 of the Land Use Ordinance requires a drainage plan for any development on a parcel that has a Flood Hazard Area designation. This project is conditioned to provide a drainage plan.

ENVIRONMENTAL DETERMINATION:

The Mitigated Negative Declaration was issued on July 14, 2005. An addendum to the Mitigated Negative Declaration was completed, in compliance with Section 15164 and 15162 of the CEQA Guidelines on July 25, 2005, 30 days prior to this hearing. The addendum was to reflect a change in the map. The map covered by the Mitigated Negative Declaration is basically the same map as the map presented to you today, except the previous map had a 35 percent open space parcel and proposed residential parcel sizes between 4,828 square feet to 6,910 square feet. The residential parcels size range on the map before your commission are 3,999 square feet and 6,760 square feet and a 40 percent open space parcel. In addition, the original plan required the removal of three oak trees and four oak trees impacted. The revised plan requires no oak tree removal and impacts seven oak trees. The proposal before you today shows a 40 percent open space requirement, and the addendum to the Mitigated Negative Declaration also reflects this change.

STAFF COMMENTS:

Additional features of this map include:

- This project provides an offer of dedication for a future Las Tables Road realignment and this offer meets County Public Works' request. This realignment is a long-term goal by Public Works.
- Building plans shall provide a step foundation to minimize grading,
- Interlocking permeable pavers are used around existing oak trees along the road and sidewalk
- A landscaped fence along Old County Road and Las Tables Road (Cannon Street) that meets the Templeton community design plan.
- Future homes on lots one and six are conditioned to be constructed with noise minimizing materials to offset the noise of being adjacent to busy roads.
- The applicant shall provide an environmental monitor for any grading within 50 feet of the riparian area.
- A monitor to ensure creek protection and tree protection measures are in placed on the project to during grading.

COMMUNITY ADVISORY GROUP COMMENTS: Templeton Area Advisory Group has reviewed this project two times, once as an 11-lot subdivision and again as 7-lot subdivision. TAAG's comments are attached. Issues 5 through 21 are designed into the project or have been conditioned to meet TAAG's comments, except number 18, staggered setback, for reasons discussed above.

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AGENCY REVIEW:

Public Works - Provided a list of improvements to be completed.

Environmental Health – Provide stock conditions for community water and sewer any on-site wells shall be destroyed.

County Parks – Provide a trail easement along Toad Creek

Templeton Fire Department – Fire Safety letter dated June 9, 2004

Templeton Community Services District – applicant has water and will be responsible for all improvements required connecting with the TCSD water and sewer. All plans shall be approved by the TCSD.

APCD – Provided a list of conditions to be implemented at building permit, included in additional map sheet.

LEGAL LOT STATUS:

The one lot was legally created with a recorded map.

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FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 14, 2005 for this project. Mitigation measures are proposed to address aesthetics, air quality, biological resources, geology, noise, and water and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the residential single-family land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of six single-family residences, an access road, and a trail and all development has been located away from the creek and riparian area. A drainage plan is required to keep run-off away from the creek and permeable pavers will be used around oak trees.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support six primary dwellings, an access road, and a trail and natural features and topography have been considered in the design because the development will be located away from the creek and riparian area.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because protective fencing and a monitor will be present during all grading, which protect the on-site creek and oak trees. In addition, all development has been located away from the creek and riparian area. A drainage plan is required to keep run-off away from the creek and permeable pavers will be used around oak trees.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

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- J. That there special circumstances or conditions affecting the subdivision because The site is an irregular triangle shape, with two collector roads, Las Tablas Road and Old County Road along the perimeter. The northern property line is encumbered by an approximately 30 foot wide offer of dedication for future expansion of Las Tables Road for that runs the length of the property line. The site has a blue line creek running through the property. If this waiver is not granted and separate driveways were required along Old County Road, a significant amount of additional grading in close proximity to Toad Creek would be required because of the 18 percent slope along Old County Road. In addition, separate driveways could lead to removing two large oak trees.
- K. That the granting of the adjustment will not have a material adverse effect upon the health or safety of persons residing or working in the neighborhood of the subdivision because as designed all six buildable lots receive access from one point off a busy collector road. If the waiver was not granted, the applicant would still qualify for the same number of lots but all lots would take direct access from individual driveways along these busy collector roads, creating more opportunities for accidents.
- L. That the granting of the adjustment will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood of the subdivision because allowing all lots to access from one point is safer option for car and pedestrian traffic in the area. In addition, the applicant is conditioned to provide the improvements requested by Public Works Department along Old County Road and Las Tables Road (Cannon St.). Including a landscaped fence area along the sidewalk that will preserve two large oak trees.

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CONDITIONS - EXHIBIT B

Approved Project

1. A Vesting Tract Map, and a Conditional Use Permit to allow a cluster subdivision, to subdivide an existing 1.8 acre parcel into seven parcels: six residential parcels ranging in size from 3,999 square feet to 6,760 square feet, and an open space parcel of approximately 42,097 square feet, which consists of an approximately 10,040 square feet on-site private access road and 32,057 square foot open space area. The applicant has requested a waiver of the road standard that limits the number of lots to be served by a private access easement to five, in order to allow six lots to receive access from a private access easement.

Access and Improvements

2. Las Tables Road (Cannon Street) and Old County Road widened to complete an A -2 section fronting the property that meets the Templeton Community Design Plan.
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
 - a. For future road improvement 31,033 square feet along the future alignment of Las Tables Road to be described as Alternative C in the attached Public Works Memorandum dated April 15, 2005.
 - b. For road widening purposes a variable width along Old County Road to be described as shown on the tentative map.
 - c. A minimum of 20-foot radius property line return at the intersection of Las Tables Road (Cannon Street) and Old County Road.
4. Access be denied to lots one through six from Old County Road and that this be by certificate and designation on the map.
5. A private easement be reserved on the map for access to lots one through six.
6. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

7. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.

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- g. Tree retention plan for trees to be retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
 - h. Trail plan, to be approved jointly with the Park Division.
 - i. The planting of 33 streets trees that comply with the Templeton Community Design Plan.
 - j. Stairs/pathway along the north side of the open space parcel that leads to Old County Road from the proposed cul-de sac to be approved jointly with the Department of Planning and Building. This is to encourage access to the proposed trail.
8. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
9. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
10. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
 - a. Submit a copy of all such permits to the Department of Public Works OR
 - b. Document that the regulatory agencies have determined that said permit is not longer required.
11. **Prior approval of improvement plans**, the applicant shall provide funding for an environmental monitor for initial grading work (including vegetation removal) within 50 feet of the riparian corridor (Toad Creek). The monitor shall ensure project limits are established to adequately protect riparian resources and proper tree protection measures are implemented. The monitor will prepare a monitoring plan that will include (1) goals, responsibilities, authorities, and procedures for verifying compliance with environmental mitigations; (2) lines of communication and reporting methods; (3) daily and weekly reporting of compliance; (4) construction crew training regarding environmental sensitivities; (5) authority to stop work; and (6) action to be taken in the event of non-compliance
12. **If grading for improvement occurs during the nesting season (March 1 through September 1)**, to avoid impacts to nesting birds, the applicant shall retain a County-approved qualified biologist to conduct nesting bird surveys immediately prior to site disturbance. If nesting birds are discovered, all construction activity within a 500-foot buffer for listed bird species nests and a 100-foot buffer for other non-listed bird nests shall halt until the chicks have fledged or left the area.
13. **Prior approval of improvement plans** the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the planting of 14 oak trees, to mitigate for seven oak trees impacted but not

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removed at a 2:1 replacement ratio. No more than seven oak trees having a five-inch diameter or larger at four feet from the ground shall be impacted, and zero shall be removed. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be in the on-site open space lot in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

14. **Prior to recordation of the final map**, replacement trees shall be planted within the 30 foot riparian setback area between the riparian corridor and proposed trail. Future development shall be prohibited from activities detrimental to oak trees.
15. These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard-planting procedures (e.g., planting tablets, initial deep watering) shall be used.

To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially required vegetation is successfully established. Additional monitoring will be necessary if initially required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

16. **Prior approval of improvement plans**, the applicant shall submit revised information from Buena Geotechnical Services indicating revisions or additions to recommendations included in the report for the project dated April 6, 2004.
17. **Prior approval of improvement plans**, the applicant shall submit a Storm Water Pollution Prevention Plan to the Regional Water Quality Control Board and an Erosion and Sedimentation Control Plan shall be prepared by a certified sediment and erosion control specialist, registered civil engineer, registered architect or landscape architect, certified California nurseryperson, or licensed landscape contractor. The plan shall consist of graphic and narrative information of sufficient clarity to indicate the nature, extent, location and placement recommendations of the erosion and sedimentation control measures proposed. The location of all practices, methods and devices shall be shown on the grading plan, or on a separate plan attached to the grading plan. The plan shall contain, but need not be limited to, all of the following information:
 - a. Grading limits shall be graphically defined on the plan and staked out before site disturbance begins.
 - b. Estimates of sediment yields before, during, and after construction of the project for a three-year period or until revegetation is established.

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- c. Proposed methods and a description of the practices to be used to protect exposed erodible areas during and after construction, including temporary
 - d. Proposed temporary and final methods and a description of the practices to be used for cut or fill slopes to prevent erosive surface runoff, including earth or paved interceptors and diversions, energy absorbing structures, or devices and techniques to reduce the velocity of runoff water.
 - e. Proposed methods and description of the temporary and final practices to retain sediment on the site, including: sediment basins and traps, vegetative filter strips, or other recognized measures; a schedule for their maintenance and upkeep; provisions for responsibility of maintenance; and design criteria for the trapping efficiency and storage capacities of sediment basins for flows from a ten-year storm.
 - f. Proposed methods, application technique, seed and fertilizer rate, sequence, and description of final erosion control practices for revegetation of all surfaces disturbed by vegetation removal, grading, haul roads, or other improved surfaces authorized by approved plans. A schedule for maintenance and upkeep of revegetated areas shall be included.
 - g. The type, location, and extent of pre-existing and undisturbed vegetation on the site.
 - h. Descriptions of proposed methods to limit access routes and stabilize access points, and to delineate clearing limits, easements, setbacks, sensitive areas, buffer areas drainage courses.
18. **Prior approval of improvement plans**, the "Project Limits" shall be clearly delineated on all plans. Prior to any improvement work beginning, including any vegetation clearing on the project site, sturdy high-visibility fencing shall be installed to protect this habitat. This fencing shall be placed as far away as possible and no closer than 25' from the edge of existing riparian vegetation. Fencing may be placed closer than 25' if it is determined by the environmental monitor that no adverse impacts to the habitat would result. No construction work (including storage of materials) shall occur outside of the "Project Limits". Any required fencing shall remain in place during the entire construction period and checked as needed by the resident engineer.
19. During construction, equipment refueling shall be done in non-sensitive areas and such that any spills can be easily and quickly contained and cleaned up without entering the creek. Any necessary remedial work shall be done immediately to avoid surface or ground water contamination. Lined concrete washouts shall be at least 100' from top of bank.
20. **Prior to recordation of the final map**, the applicant shall submit a condition compliance package that includes how the applicant has met each condition necessary for final map recordation and verification that each condition has been met.
21. **Prior to recordation of the final map**, the applicant shall submit a complete drainage plan with calculations to the Department of Public Works for review and approval. This review shall include an evaluation of the potential need for biological filters and surge protection for rain run off to protection of Toad Creek.
22. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

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Utilities

- 23. Electric and telephone lines shall be installed underground.
- 24. Cable T.V. conduits shall be installed in the street.
- 25. Gas lines shall be installed.

Design

- 26. The lots shall be numbered in sequence.
- 27. The applicant shall apply to the Department of Planning and Building for approval of new street names **prior to the filing of the final tract map**. Approved street names shall be shown on the final parcel or tract map.

Fire Protection

- 28. **Prior to recordation of the final map**, the applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements.

Parks and Recreation

- 29. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels.
- 30. **Prior to recordation of the final map**, the applicant shall dedicate the proposed trail corridor to County Parks for future construction of a trail according to the County's A-1(x) standard. The applicant shall pay applicable fees as required.

Affordable Housing Fee

- 31. **Prior to recordation of the final map**, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Easements

- 32. **Prior to recordation of the final map**, an open space easement shall be recorded for the open space parcel. It is to be held in common by the Homeowner's Association or transferred to a public trust or conservancy agency approved by the Department of Planning and Building. The open space parcel is to be maintained as such in perpetuity.

Mitigations

- 33. **Prior to recordation of the final map**, the applicant shall submit a county approved landscape plan and implement the approved landscape plan for the open space parcel and the fenced area along Old County Road and 33 street trees that meet the Templeton Community Design Plan. All vegetation planted within the proposed open space (Lot 7) shall be native and compatible with the adjacent riparian habitat. Replacement trees shall be planted within the 30 foot riparian setback area between the riparian corridor and proposed trail. Future development shall be prohibited from activities detrimental to oak trees.

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34. **Prior to recordation of the final map**, the applicant shall install the approved fencing along Old County Road that comply with the Templeton Community Design Plan.
35. **Prior to recordation of the final map**, the applicant shall provide verification that the proposed access road meets county safety standards for site distance.
36. **Prior to recordation of the final map**, the applicant shall submit a letter to County Environmental Health indicating Templeton Community Service District will be providing service to the project site and existing wells have been dismantled.

Additional Map Sheet

37. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final tract map. The additional map sheet shall include the following:
 - a. That secondary dwellings shall not be allowed on all lots within the land division.
 - b. The limits of inundation from a 100 year storm over lot seven from Toad Creek shall be shown on the additional map and note the required building restriction in the on the sheet.
 - c. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
 - d. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated June 9, 2004 from The Templeton Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
 - e. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 1. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 2. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
 - f. **Prior to issuance of any construction permits**, the applicant shall submit plans that verify the proposed development meets all the standards and guidelines of residential single family residence section of the Templeton Community Design and the level of details on sides of homes that face Old County Road, Las Tables Road (Cannon Street) and future Las Tables Road extension shall be the same as on the front of the homes
 - g. **Prior to issuance of any construction permits associated with this tract map**, the applicant shall submit plans that verify proposed development is using a step foundation to minimize grading.
 - h. All exterior lighting shall meet the approved exterior lighting plan.
 - i. No fencing along Old County Road shall be modified or removed.
 - j. During construction, to control dust on the project site, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans prior to construction permit issuance:

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1. Reduce the amount of the disturbed area where possible.
 2. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site.
 3. Increased watering frequency would be required whenever wind speeds exceed 15 mph.
 4. Reclaimed (nonpotable) water should be used whenever possible.
 5. All dirt stockpile areas should be sprayed daily as needed.
 6. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
 7. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
 8. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
 9. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
 10. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- k. **Prior to issuance of construction permits**, the applicant shall provide funding for an environmental monitor for initial grading work. The monitor shall ensure project limits are established to adequately protect riparian resources and proper tree protection measures are implemented. The monitor will prepare a construction monitoring plan that will include (1) goals, responsibilities, authorities, and procedures for verifying compliance with environmental mitigations; (2) lines of communication and reporting methods; (3) daily and weekly reporting of compliance; (4) construction crew training regarding environmental sensitivities; (5) authority to stop work; and (6) action to be taken in the event of non-compliance.
- l. The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.
- m. Throughout the life of the project, there shall be no cutting, alteration or disturbance of the riparian corridor or oak tree replanting area, with the exception of sewer work conducted within the sewer easement.

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- n. **Prior to approval of construction permits**, the "Project Limits" shall be clearly delineated on all construction plans. Prior to any construction work beginning, including any vegetation clearing on the project site, sturdy high-visibility fencing shall be installed to protect this habitat. This fencing shall be placed as far away as possible and no closer than 25' from the edge of existing riparian vegetation. Fencing may be placed closer than 25' if it is determined by the environmental monitor that no adverse impacts to the habitat would result. No construction work (including storage of materials) shall occur outside of the "Project Limits". Any required fencing shall remain in place during the entire construction period and checked as needed by the resident engineer.
- o. During construction, equipment refueling shall be done in non-sensitive areas and such that any spills can be easily and quickly contained and cleaned up without entering the creek. Any necessary remedial work shall be done immediately to avoid surface or ground water contamination. Lined concrete washouts shall be at least 100' from top of bank.
- p. As part of individual lot development, landscaping on the entire project site shall be limited to native species or species that are non-invasive to oaks. Landscaping restrictions shall be included on CC&R's if established for future development.
- q. If grading and construction activities occur during the nesting season (March 1 through September 1), to avoid impacts to nesting birds, the applicant shall retain a County-approved qualified biologist to conduct nesting bird surveys immediately prior to site disturbance. If nesting birds are discovered, all construction activity within a 500-foot buffer for listed bird species nests and a 100-foot buffer for other non-listed bird nests shall halt until the chicks have fledged or left the area and permanent mulching, seeding, or other recognized surface stabilization measures.
- r. **Prior to issuance of construction permits for proposed Lot 1 and Lot 6**, the applicant shall submit plans showing the following: buildings on these lots shall be constructed with air conditioning or a mechanical ventilation system, windows and sliding glass doors mounted in low air infiltration rate frames, and solid core exterior doors with perimeter weather stripping and threshold seals or comparable measures and a useable outdoor space sheltered from the street noise.
- s. Notification to prospective buyers that the north edge of the site is proposed for a Las Tables Road extension and a bridge to support this road.
- t. **If grading and construction activities occur during the nesting season (March 1 through September 1)**, to avoid impacts to nesting birds, the applicant shall retain a County-approved qualified biologist to conduct nesting bird surveys immediately prior to site disturbance. If nesting birds are discovered, all construction activity within a 500-foot buffer for listed bird species nests and a 100-foot buffer for other non-listed bird nests shall halt until the chicks have fledged or left the area.
- u. Future homes on lots one and six are conditioned to be constructed with noise minimizing materials to offset the noise of being adjacent to busy roads.

Covenants, Conditions and Restrictions

- 38. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
 - a. That secondary dwellings shall not be allowed on ***all lots within the land division***.

6-18

- b. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - i. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - ii. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- c. **Prior to issuance of any construction permits**, the applicant shall submit plans that verify the proposed development meets all the standards and guidelines of residential single family residence section of the Templeton Community Design and the level of details on sides of homes that face Old County Road, Las Tables Road (Cannon Street) , and Las Tables Road extension shall be the same as on the front of the homes
- d. **Prior to issuance of any construction permits** the applicant shall submit plans that verify proposed development is using a step foundation to minimized grading.
- e. During construction, to control dust on the project site, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans prior to construction permit issuance:
 - i. Reduce the amount of the disturbed area where possible.
 - ii. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site.
 - iii. Increased watering frequency would be required whenever wind speeds exceed 15 mph.
 - iv. Reclaimed (nonpotable) water should be used whenever possible
 - v. All dirt stockpile areas should be sprayed daily as needed.
 - vi. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
 - vii. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
 - viii. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
 - ix. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
 - x. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- f. **Prior to issuance of construction permits**, the applicant shall provide funding for an environmental monitor for initial grading work. The monitor shall ensure project limits are established to adequately protect riparian resources and proper tree protection measures are implemented. The monitor will prepare a construction monitoring plan that will include (1) goals, responsibilities, authorities, and procedures for verifying compliance with environmental

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- mitigations; (2) lines of communication and reporting methods; (3) daily and weekly reporting of compliance; (4) construction crew training regarding environmental sensitivities; (5) authority to stop work; and (6) action to be taken in the event of non-compliance
- g. Throughout the life of the project, there shall be no cutting, alteration or disturbance of the riparian corridor or oak tree replanting area, with the exception of sewer work conducted within the sewer easement.
 - h. **Prior to approval of construction permit**, the "Project Limits" shall be clearly delineated on all construction plans. Prior to any construction work beginning, including any vegetation clearing on the project site, sturdy high-visibility fencing shall be installed to protect this habitat. This fencing shall be placed as far away as possible and no closer than 25' from the edge of existing riparian vegetation. Fencing may be placed closer than 25' if it is determined by the environmental monitor that no adverse impacts to the habitat would result. No construction work (including storage of materials) shall occur outside of the "Project Limits". Any required fencing shall remain in place during the entire construction period and checked as needed by the resident engineer.
 - i. All vegetation planted within the proposed open space (Lot 7) shall be native and compatible with the adjacent riparian habitat.
 - j. As part of individual lot development, landscaping on the entire project site shall be limited to native species or species that are non-invasive to oaks.
 - k. **Prior to issuance of construction permit for proposed lots one and six**, the applicant shall submit plans showing the following: buildings on these lots shall be constructed with air conditioning or a mechanical ventilation system, windows and sliding glass doors with perimeter weather stripping and threshold seals or comparable measures and a usable outdoor open space sheltered from street noise.
 - l. **Prior to issuance of any construction permits**, the applicant shall submit plans that verify the proposed development meets all the standards and guidelines of residential single family residence section of the Templeton Community Design and the level of details on sides of homes that face Old County Road, Las Tables Road (Cannon Street) and future Las Tables Road extension shall be the same as on the front of the homes
 - m. **Prior to issuance of any construction permits associated with this tract map**, the applicant shall submit plans that verify proposed development is using a step foundation to minimize grading.
 - n. All exterior lighting shall meet the approved exterior lighting plan.
 - o. No fencing along Old County Road shall be modified or removed.
 - p. Maintenance of the access road, on-site lighting, 14 replacement oak trees, and other landscaping in the open space parcel, a picnic table in the open space parcel, landscaping and fencing along Old County Road and stairs/trail at north of site of the open space parcel that connects Old County Road to the proposed recreation trail.

Miscellaneous

- 39. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 40. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.

6.20

41. Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
42. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action

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FINDINGS - EXHIBIT C
Conditional Use Permit

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 14, 2005 for this project. Mitigation measures are proposed to address aesthetics, air quality, biological resources, geology, noise, and water and are included as conditions of approval.

Conditional Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the six residential lots and one open space lot does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the residential lots are similar to, and will not conflict with, the surrounding residential and commercial lands and uses. The lot pattern of lot lined up along Old County Road is consistent with the existing lot patterns and the Templeton Community Design Plan.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because The project is located on Old County Road and Lad Tables Road (Cannon Road), both collector roads constructed to a level able to handle any additional traffic associated with the project.
- G. The development will not create significant adverse effects on the natural features of the site and will preserve and protect such features through the site design, because all development has been located away from the creek and riparian area. A drainage plan is required to keep runoff away from the creek and preambles are used around oak trees.
- H. Natural features and topography have been considered in the design and siting of all proposed physical improvements because topography, the creek and riparian area have been considered in the design because the development will be located away from the creek and riparian area.

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EXHIBIT D - CONDITIONS OF APPROVAL
For Conditional Use Permit

Approved Development

1. A cluster subdivision of seven parcels, six residential parcels ranging in size from 3,999 square feet to 6,760 square feet and an open space parcel of approximately 42,097 square feet which consists of an approximately 10,040 square foot on-site private access road and 32,057 square foot open space parcel.
 - a. maximum height is 35 feet from average natural grade.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits**, plans submitted shall show all development associated with this project:
 - Show approved building envelopes and development within the approved building envelopes.
 - Uses step foundations that minimize grading.
 - Meet the standard and guidelines of the Templeton Community Design Plan
 - Meet the Residential Single Family design standards of the Salinas River Area Plan.
 - Provides the same level of details on side(s) of houses that face Old County Road, Las Tables Road (Cannon Road) and Las Tables Road extension as on the front of the building.
 - Building and grading lines are outside of the drip line of the onsite oak trees.
 - As part of individual lot development, a landscape plan shall be submitted that meet section 22.16 of the Land Use Ordinance and the Templeton Community Design Guidelines. Landscaping shall be limited to native species or species that are non-invasive to oaks.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. An exterior lighting plan shall meet Land Use Ordinance Section 22.10.060 and the Templeton Community Design Plan. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored, to minimize glare and effects on night skies

Fire Safety

4. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated June 9, 2004 from The Templeton Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.

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Services

5. **At the time of application for construction permits**, the applicant shall provide a letter from Templeton Community Service District stating they are willing and able to service the property.

Conditions to be completed prior to issuance of a construction permit

Fees

6. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Mitigations

7. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - A. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
8. During construction, to control dust on the project site, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans prior to construction permit issuance:
 - A. Reduce the amount of the disturbed area where possible.
 - B. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site.
 - C. Increased watering frequency would be required whenever wind speeds exceed 15 mph.
 - D. Reclaimed (nonpotable) water should be used whenever possible.
 - E. All dirt stockpile areas should be sprayed daily as needed.
 - F. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
 - G. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
 - H. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
 - I. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

6.24

- .J. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
9. **Prior to issuance of construction permits**, the applicant shall provide funding for an environmental monitor for initial grading work. The monitor shall ensure project limits are established to adequately protect riparian resources and proper tree protection measures are implemented. The monitor will prepare a construction monitoring plan that will include (1) goals, responsibilities, authorities, and procedures for verifying compliance with environmental mitigations; (2) lines of communication and reporting methods; (3) daily and weekly reporting of compliance; (4) construction crew training regarding environmental sensitivities; (5) authority to stop work; and (6) action to be taken in the event of non-compliance.
 10. **Prior to issuance of construction permit**, the "Project Limits" shall be clearly delineated on all construction plans. Prior to any construction work beginning, including any vegetation clearing on the project site, sturdy high-visibility fencing shall be installed to protect this habitat. This fencing shall be placed as far away as possible and no closer than 25' from the edge of existing riparian vegetation. Fencing may be placed closer than 25' if it is determined by the environmental monitor that no adverse impacts to the habitat would result. No construction work (including storage of materials) shall occur outside of the "Project Limits". Any required fencing shall remain in place during the entire construction period and checked as needed by the resident engineer.
 11. During construction, equipment refueling shall be done in non-sensitive areas and such that any spills can be easily and quickly contained and cleaned up without entering the creek. Any necessary remedial work shall be done immediately to avoid surface or ground water contamination. Lined concrete washouts shall be at least 100' from top of bank.
 12. If grading and construction activities occur during the nesting season (March 1 through September 1), to avoid impacts to nesting birds, the applicant shall retain a County-approved qualified biologist to conduct nesting bird surveys immediately prior to site disturbance. If nesting birds are discovered, all construction activity within a 500-foot buffer for listed bird species nests and a 100-foot buffer for other non-listed bird nests shall halt until the chicks have fledged or left the area and permanent mulching, seeding, or other recognized surface stabilization measures.
 13. **Prior to issuance of construction permits for proposed Lot 1 and Lot 6**, the applicant shall submit plans showing the following: buildings on these lots shall be constructed with air conditioning or a mechanical ventilation system, windows and sliding glass doors mounted in low air infiltration rate frames, and solid core exterior doors with perimeter weather stripping and threshold seals or comparable measures and a useable outdoor space sheltered from the street noise.
 14. **If grading and construction activities occur during the nesting season (March 1 through September 1)**, to avoid impacts to nesting birds, the applicant shall retain a County-approved qualified biologist to conduct nesting bird surveys immediately prior to site disturbance. If nesting birds are discovered, all construction activity within a 500-foot buffer for listed bird species nests and a 100-foot buffer for other non-listed bird nests shall halt until the chicks have fledged or left the area.

6-25

Conditions to be completed prior to occupancy or final building inspection / establishment of the use

15. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before ***final building inspection / establishment of the use***. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
16. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
17. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
18. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

6-26

STANDARD CONDITIONS OF APPROVAL FOR
SUBDIVISIONS USING COMMUNITY WATER AND SEWER

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.

6-27

12. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

Staff report prepared by Elizabeth Kavanaugh
and reviewed by Kami Griffin, Supervising Planner



THIS

TEMPLETON



Vicinity Map

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

AGRICULTURE

SITE

Topographic map of San Luis Obispo County showing the site of the proposed building and planning. The map includes contour lines, roads, and various landmarks. A large 'X' is drawn across the map, and a small black square marks the site location. The word 'AGRICULTURE' is written vertically on the right side. The word 'SITE' is written in large letters on the right side. The map is labeled with 'SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING' at the top.

SITE 99-172

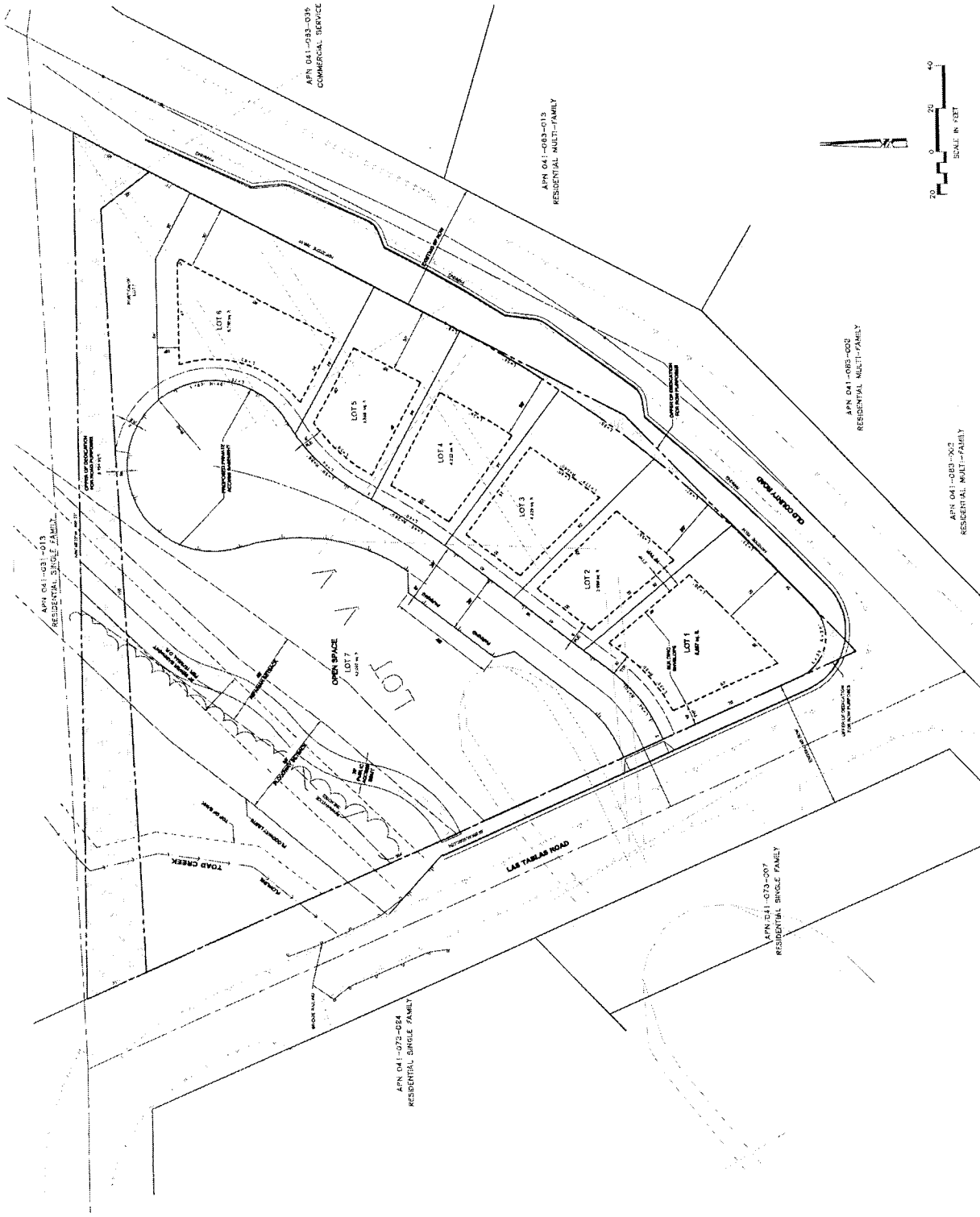
HERNIMAN

Fetkyo SUB2003-00246

Land Use Category



6-30



PROJECT

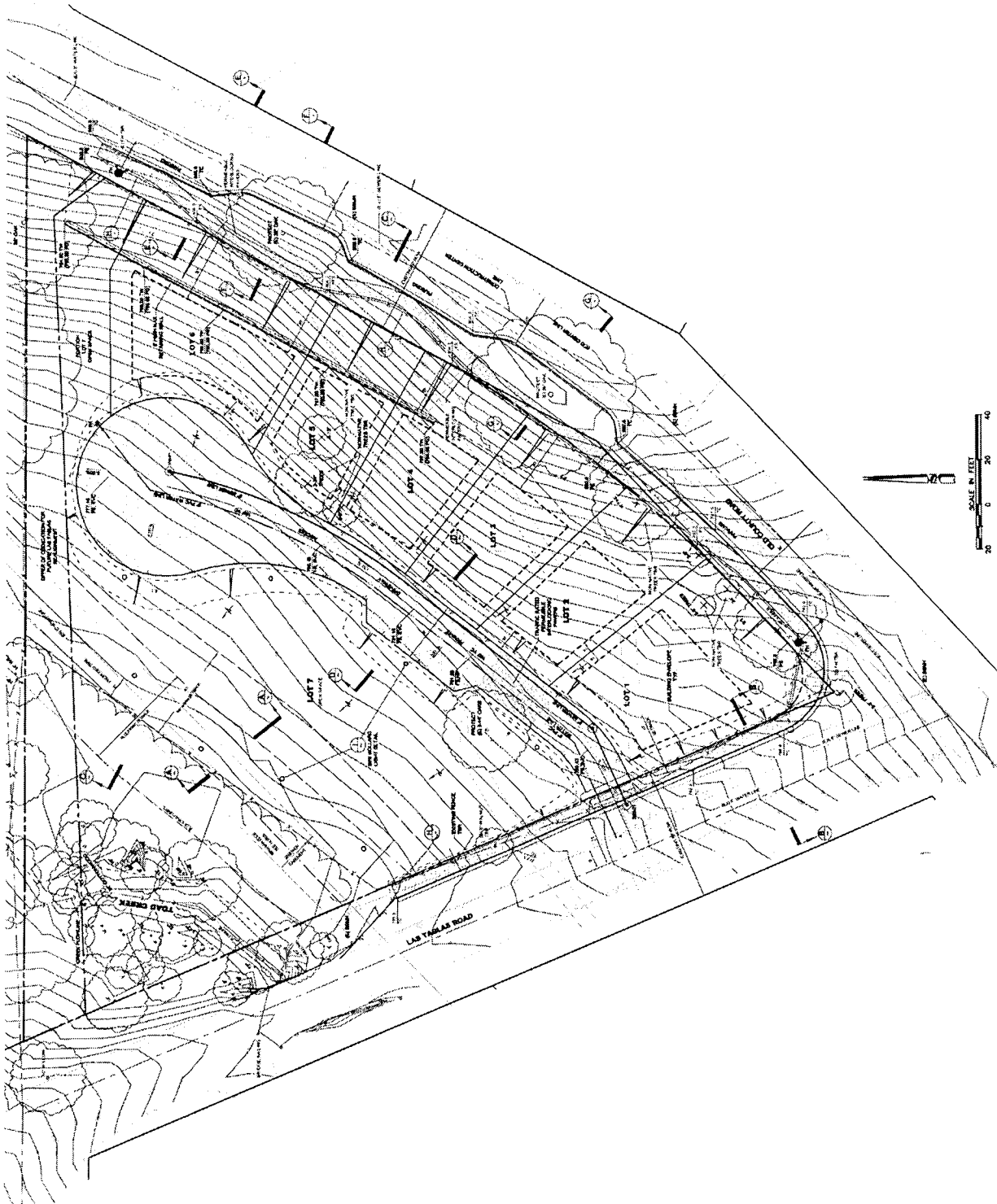
Tract Map
Fetkio SUB2003-00246

EXHIBIT

Site Plan



6-31



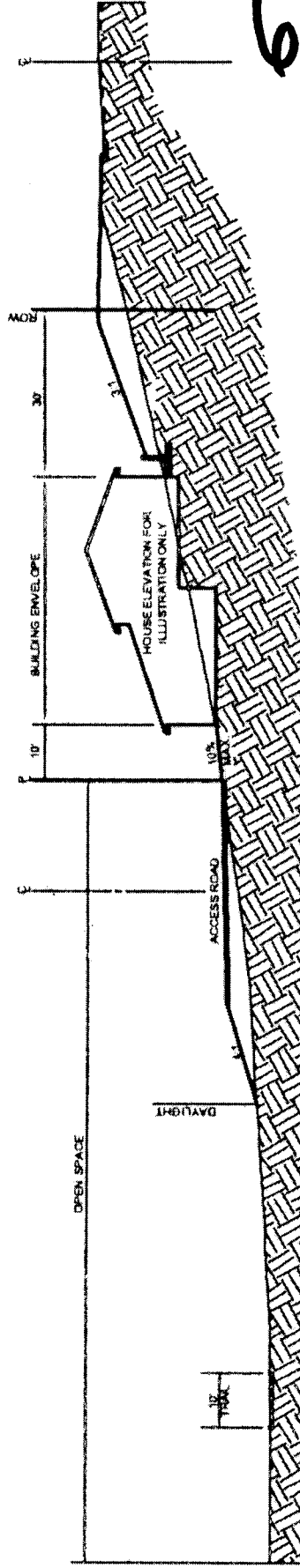
PROJECT

Tract Map
Fetkoy SUB2003-00246

EXHIBIT

Grading & Drainage





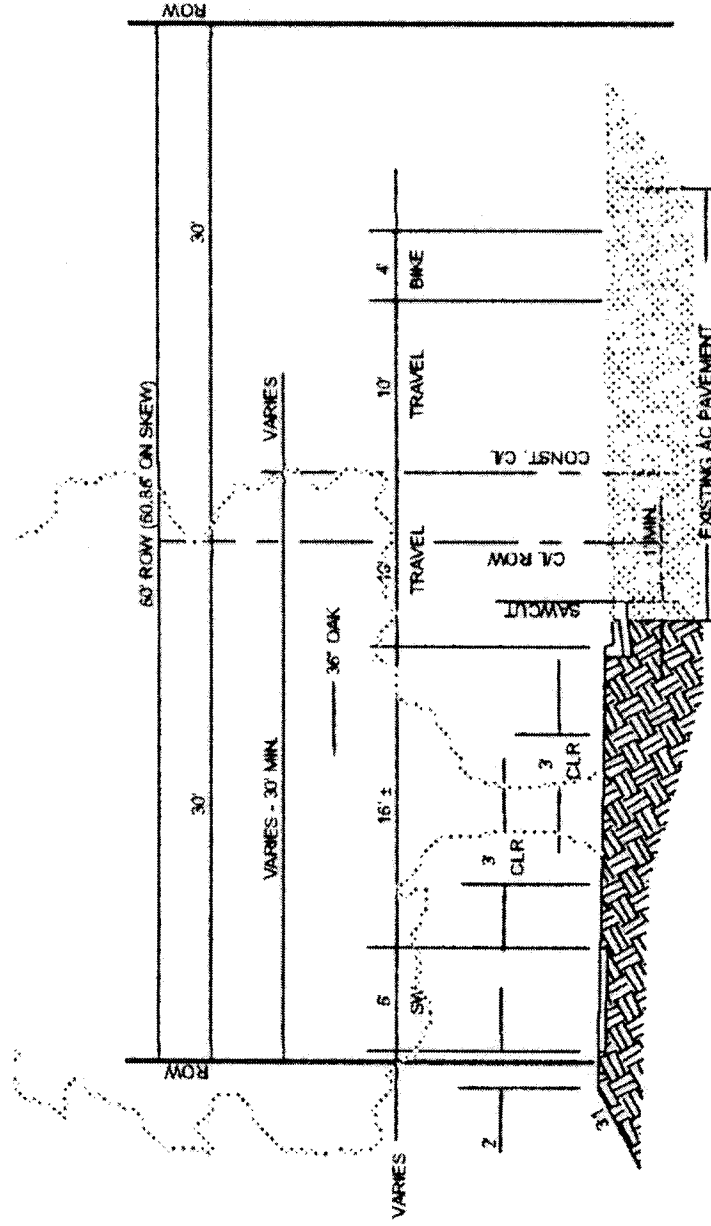
PROJECT

Tract Map
Felkys SUB2003-00246

EXHIBIT

House Section on Slope





PROJECT

Tract Map
Fetkya SUB2003-00246

EXHIBIT

Oak Section with Pavers



COBBLED COLUMNS
LOCATED 18' ON CENTER

6' ON CENTER

SQUARE PATTERN WIRE
FOR VINING PLANTS

4x4 TREATED
WOOD POST

6' 3"

6-34

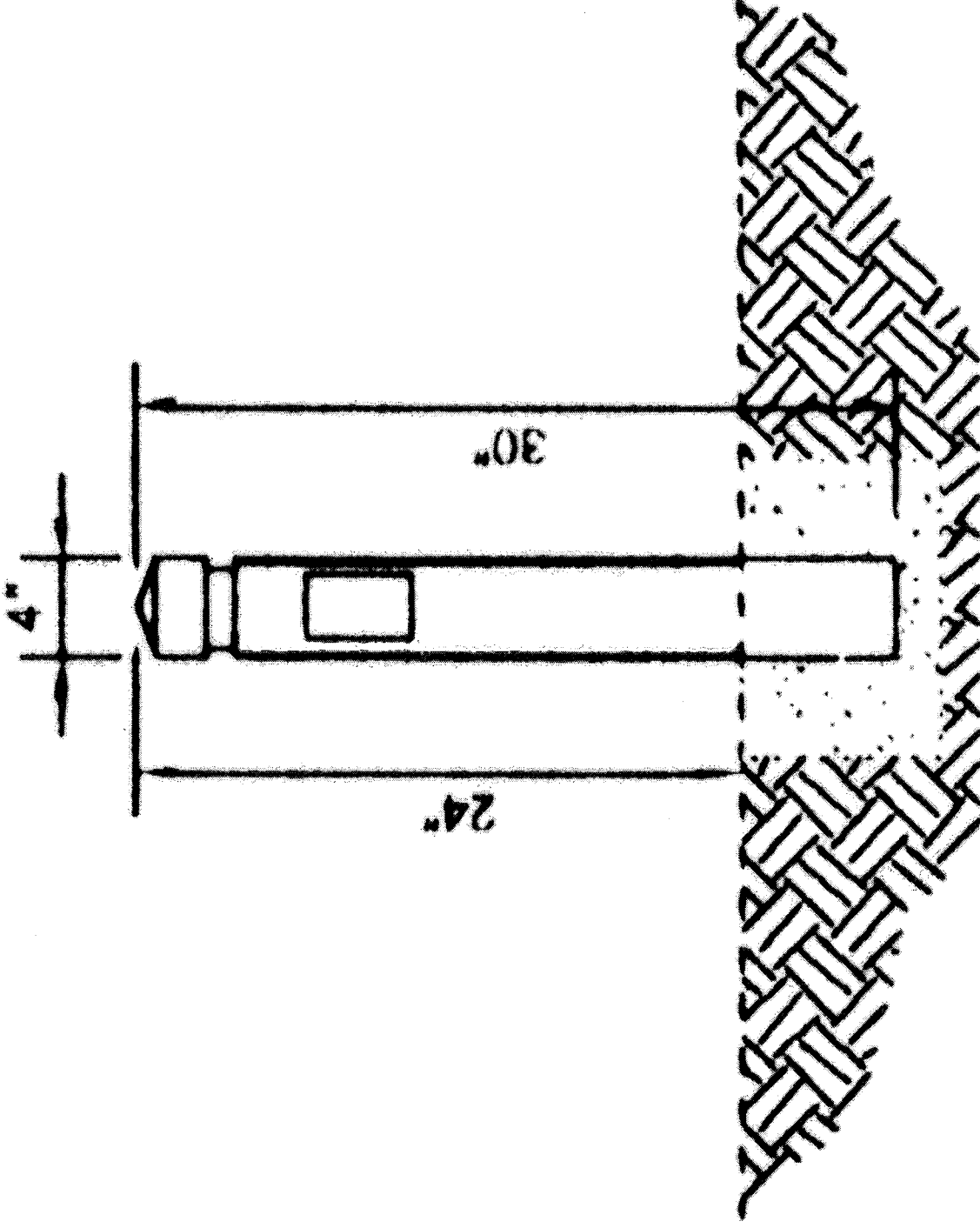
PROJECT

Tract Map
Fetkoy SUB2003-00246

EXHIBIT

Typical Fence Detail





6-35

PROJECT

Tract Map
Fetkoy SUB2003-00246

EXHIBIT

Standard Bollard Light



June 17, 2005

6-34

Templeton Area Advisory Group
PO Box 1135
Templeton, CA 93465-1135

Elizabeth Kavanaugh, Planner
County Planning and Building Department
San Luis Obispo County Government Center
San Luis Obispo, CA 93408

Subject: County Referral revised, Sub 2003-00246,
Tentative Tract Map 2644, Fetyko Project

Dear Ms. Kavanaugh:

At its June 16th meeting, TAAG reviewed this project. TAAG expected Mr. Fetyko and/or his agent Glenn Rider from EDA to be at the meeting, but they were not. Because this project is scheduled for hearing soon, TAAG did not want to miss the opportunity to comment.

By unanimous vote of 7-0, these are TAAG's recommendations:

Overall.

1. Because of the bridge (future extension of Las Tablas Road), riparian area, flood plain, topography, the number of lots is excessive.
2. Due to the proximity of the building envelope and the future bridge, lot 6 has a livability problem.
3. Clustering is not appropriate for this parcel.
4. No waivers from the Templeton Community Design Plan standards shall be allowed.

Specific Issues.

5. FHZ and Liquefaction zones must be identified and designated.
6. No roadway, cul-de-sac, or development may be located within FHZ according to the Templeton Community Design Plan.
7. Comply with riparian setback, 50 feet from top of bank recommended according to the Templeton Community Design Plan.
8. Comply with the Fire Chief's requirement for a cul-de-sac turnaround.

6-37

9. Comply with private road standards in Templeton Community Design Plan to include guest parking.
10. Install a biological filter at road edge to prevent oil running into Toad Creek.
11. Install a surge protection for rain run-off.
12. Toad Creek Trail (unpaved) should be located outside of the riparian vegetation.
13. Toad Creek Trail should be designed to go under the bridge so that when the opportunity arises the trail can continue northerly.
14. Provide landscape plan that includes street trees, natives preferred.
15. No street lights.
16. Secondary dwellings prohibited.
17. Garage setbacks according to Templeton Community Design Plan.
18. Staggered house setbacks according to Templeton Community Design Plan.
19. Shielded exterior house lights.
20. Request an additional map sheet if lots will be sold separately to insure that houses are built to Templeton Community Design Plan standards.
21. Notification should be given to buyers of lots that a future bridge is planned.
22. When old Las Tablas Road (Cannon Street) is abandon retain a public ROW adequate for pedestrians and bicycles. This route would be a short cut to school and downtown.

Finally.

23. TAAG requests that it be consulted for another review before this project goes to hearing.

Truly yours,

Dorothy Jennings, Chairperson
Templeton Area Advisory Group

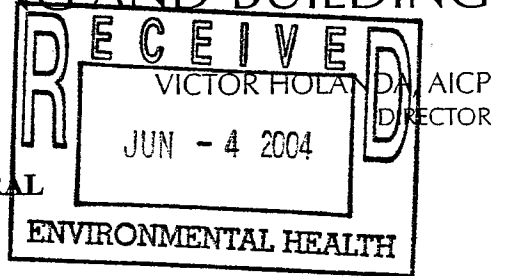
cc: Jan DiLeo, Parks Planner



6-38
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

EK

TRACT 2644



THIS IS A NEW PROJECT REFERRAL

DATE:

6/3/2004

TO:

ENV.

FROM:

NORTH CO. Team
(Please direct response to the above)

Fetyko TRmap
SUB 2003-00246
Project Name and Number

Development Review Section (Phone: 781-788-2009)

PROJECT DESCRIPTION: TR MAP on Old County Rd.
in Templeton. East of Hwy 101, at the corner
of Las Tablas & Old County Rd.

Return this letter with your comments attached no later than: 6/17/2004

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

YES (Please go on to Part II)
NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

NO (Please go on to Part III)
YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Provide applicant with stock conditions for community water and sewer. Provide this office with a letter from TCSD providing water and sewer service. Any water wells located on proposed parcels 1-10 shall be destroyed with permits from this office.

6/14/04
Date

Sauri Salo
Name

781-5551
Phone

6-39

January 25, 2005

Mr. John Fetyko
P.O. Box 4330
Paso Robles, CA 93447

RE: CONDITIONAL Will Serve Commitment for Water Service to San Luis Obispo County, Tract Map No. 2644, 96 Old County Road, Templeton, CA

Sewer Connection Fees, Fire Department Capital Facilities User Charges and Park Facilities Fees will be due prior to the receipt of a building permit from San Luis Obispo County.

Dear Mr. Fetyko:

Pursuant to your completed application for water service for the above-described Tract Number, the Templeton Community Services District hereby provides you with a will serve commitment for 06 water units (riparian water rights) for such premises. This will serve commitment is subject to the provisions of District Ordinance No. 93-7, as it may be amended from time to time; a District approved water supply and development agreement with the developer; and other District ordinances, rules and regulations concerning water service, as such may be amended from time to time.

This will serve commitment obligates the District to provide water and sewer service to the above premises to the extent that water service applications for such premises propose no more units of use than are stated above. The will serve commitment is not transferable to any other property. Requests for refunds of hook-up fees are subject to the provisions of Ordinances 93-7, as such may be amended from time to time.

At the time that you apply for actual water service from the District, you will be subject to District ordinances, rules and regulations governing such applications and connections to the District's system and the District approved water supply and development agreement.

6-40

Water service is not immediately available for the above-described property until such time as the developer ties into the District's main lines and constructs other water facilities. All water connection fees have been paid in full.

Please note that the Sewer Connection Fees, Fire Department Capital Facilities User Charges and Park Facilities Fees have **not** been paid in full. **These fees will be due prior to the receipt of a building permit for this property.**

If you have any questions regarding this information, please call my office at (805) 434-4900.

Sincerely,

William Van Orden, General Manager

WGV:lai

**Water purchased on 1/13/05
(Riparian H2O Rights, Formerly
Bowery Property)**



6-41

206 5th Street, P.O. Box 780
Templeton, CA 93465
805/434-4911
fax 805/434-4820
tfd@tcsn.net

Greg O'Sullivan, Fire Chief

6-9-04

North County Team
County Government Center
San Luis Obispo, CA 93408

I have reviewed and conducted a site inspection on the proposed subdivision Tract 2644 proposed by John Fetyko near the intersection of Old County Road and Las Tablas. This development, if approved, would allow the construction of 10 homes. Based on the information provided the Templeton Fire Department would require:

1. Hydrants to be installed per TCSD standards throughout the proposed development. The Fire Chief will provide direction on hydrant location when tract improvement plans are submitted. Minimum Flow requirements of hydrants shall meet UFC Appendix III-A
2. Per TCSD Ordinance 2003-6, proposed residential development will be required to be fire safety sprinklered using NFPA 13D and Templeton Fire Department guidelines as the standard for design and installation.
3. The information provided indicates the applicant will be improving a new dedicated public/private road. Road widths shall be so constructed so to provide a minimum twenty-foot fire access road. This road can be incorporated with the improved roads, however the fire lane shall be maintained free and unobstructed. If necessary, no parking may be required to meet this standard, if so, obtaining the approval for such no parking shall be the responsibility of the applicant. (See Templeton Fire Department Developers' Guide)
4. A cul-de-sac type turn around is required with a minimum radius of 40-feet with no parking and 48-feet is parking is permitted.
5. Street names and addressing shall be consistent with County standards. Appropriate County officials will be asked to discuss final street names and addressing with fire department officials prior to final approval.
6. Due to topographic and fuel modeling features of the building site, fuel modification may be required before final approval for occupancy is given by the Fire Department. A fire department representative will identify modification during the construction phase of the development. Please contact the Department to set an appointment.
7. Other fire protection measures may be required when specific plans are submitted.

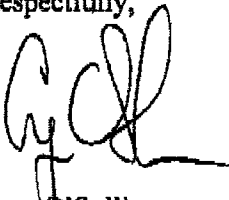
6-42

Additionally, as the lead safety service officer for the Templeton Community Services District, I am concerned about the access and egress to and from the property. Las Tablas has a very pronounced "dog-leg" corner just west of this project which will lead to a dangerous situation for traffic leading in and out of the development. It is suggested that the process of straightening Las Tablas be considered as part of this project. Please note that fire department personnel have met with the owners of the parcels to the north of this project about a similar sub-division, possibly the two can be reviewed together by Planning staff to mitigate traffic flow concerns.

Please note that TCSD and Templeton Fire Department Standards and Specifications and Developers' Guide are available at the TCSD office.

Should you have any further questions, please do not hesitate to call.

Respectfully,



Greg O'Sullivan
Fire Chief



16
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

6-43

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

6/3/2004

TO:

Edward Mansell Fetyko TR map

FROM:

North Co. Team

(Please direct response to the above)

SUB 2003-00246

Project Name and Number

Development Review Section (Phone: 781-

788-2009)

PROJECT DESCRIPTION:

TR MAP on Old County Rd.
in Templeton. East of Hwy. 101, at the Corner
of Las Tablas & Old County Rd.

Return this letter with your comments attached no later than:

6/17/2004

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RESTRICT ACCESS TO INTERNAL STREET ONLY

6/17
Date

Edward Mansell
Name

5199
Phone



16
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

JUN - 3 2004

VICTOR HOLANDA, AICP
DIRECTOR

EX-6-44
THIS IS A NEW PROJECT REFERRAL

DATE:

6/3/2004

From

PW

NorthCo. Team

(Please direct response to the above)

Fetyko TR map

SUB 2003-00246

Project Name and Number

Development Review Section (Phone: 781-

788-2009)

PROJECT DESCRIPTION:

TR MAP on Old County Rd.
in Templeton. East of Hwy. 101, at the Corner
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NO (Please go on to Part III)

YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

TITLE REPORT IS OLD AND DOES NOT LIST JOHN FETYKO AS OWNER. CHECK TEMPLETON DESIGN PLAN. LOT 11 SATISFIES SUBDIVISION, I.E. 1 ALSO DONE. IV. G. 2 DETACHED SW NEEDS TO BE INCORPORATED, PATHWAY ALONG CREEK? DOES THE CUP HAVE A SEPERATE APP/PROCESS OR IS IT COMBINED WITH THE TRACT NOW?

13 July 2004
Date

Goodwin
Name

6252
Phone

6-45

EXHIBIT B

CONDITIONS OF APPROVAL FOR TRACT 2644, FETUKO/EDAApproved Project

This approval authorizes the division of a _____ acre parcel into _____ parcels of _____ acres / square feet each.

Access and Improvements

Roads and/or streets to be constructed to the following standards:

- a. _____ constructed to a _____ section within a _____ foot dedicated right-of-way.

- b. LAS TABLAS RD (CANNON ST) & OLD COUNTY RD widened to complete a A-2 section fronting the property. TEMPERON GUIDELINE require DETACHED SIDEWALKS - SUGGEST SIDEWALK MEASUREMENT 4 to 8 ft FROM CURB.

- c. _____ constructed to a _____ section from the property to _____ (minimum paved width to be _____ feet).



The applicant offer for dedication to the public by certificate on the map or by separate document:

- a. For future road improvement _____ feet along _____ to be described as _____ feet from the recorded centerline.

- b. For future road improvement 30 feet along FUTURE ALIGNMENT OF LAS TABLAS RD to be described as SHOWN ON TENTATIVE MAP

- c. For road widening purposes MINIMUM 20 feet along OLD COUNTY RD, to be described as SHOWN ON feet from the recorded centerline. TENTATIVE MAP.

- d. The _____ foot road easement as shown on the tentative parcel map with a _____ foot radius property line return at the intersection of _____.

- e. A MINIMUM 20 foot radius property line return at the intersection of LAS TABLAS & OLD COUNTY RDS.

- f. The _____ foot road easement terminating in a county cul-de-sac as shown on the tentative map.

6-46

- ☐ The intersection of _____ and _____
be designed in accordance with California Highway Design Manual.
- ☒ Access be denied to lots 5 THRU 10 from OLD COUNTY Rd
and that this be by certificate and designation on the map.
- ☐ The future alignment of _____ shall be
shown on the map as reserved for future public right-of-way.
- ☒ A private easement be reserved on the map for access to lots 1 THRU 10.
- ☐ A practical plan and profile for access to lots _____ be submitted
to the Department of Public Works and the Department of Planning and Building for
approval.
- ☒ All grading shall be done in accordance with Appendix 33 of the Uniform Building Code.
All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

- ☒ Improvement plans shall be prepared in accordance with San Luis Obispo County
Improvement Standards and Specifications by a Registered Civil Engineer and submitted
to the Department of Public Works and the county Health Department for approval. The
plan is to include:
- a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve
every lot.
 - g. Tree removal/retention plan for trees to be removed and retained associated with
the required improvement for the land division to be approved jointly with the
Department of Planning and Building.
 - h. Trail plan, to be approved jointly with the Park Division.
- ☒ The applicant shall enter into an agreement with the county for the cost of checking the
map, the improvement plans if any, and the cost of inspection of any such improvements
by the county or its designated representative. The applicant shall also provide the county
with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish
construction phase services, Record Drawings and to certify the final product to the
Department of Public Works.
- ☒ The Registered Civil Engineer, upon completion of the improvements, must certify to the
Department of Public Works that the improvements are made in accordance with all
conditions of approval, including any related land use permit conditions and the approved
improvement plans. All public improvements shall be completed prior to occupancy of any
new structure.
- ☒ If environmental permits from the Army Corps of Engineers or the California Department
of Fish and Game are required for any public improvements that are to be maintained by
the County, the applicant or his engineer, prior to the approval of the plans by the
Department of Public Works shall:
- a. Submit a copy of all such permits to the Department of Public Works OR
 - b. Document that the regulatory agencies have determined that said permit is not
longer required.

Drainage

Q-47

- ☐ _____ is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.
- ☐ The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.
- ☒ Submit complete drainage calculations to the Department of Public Works for review and approval.
- ☐ If calculations so indicate, drainage must be **retained/detained** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- ☐ If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. granted to the public in fee free of any encumbrance.
 - b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
 - c. reserved as a drainage easement in favor of the owners and assigns.
- ☐ If a drainage basin is required, a zone of benefit be formed within _____ for maintenance of the drainage basin. Application to be filed with the The Department of Public Works Administrator.
- ☐ If a drainage basin is required, this development be annexed to _____ for maintenance of the drainage basin. Evidence of acceptance to be filed with the Department of Public Works.
- ☒ The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Wastewater Disposal

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel(s) _____, only).
- ☐ A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area shall **be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress / shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association.** Impervious paving over a disposal area is not considered acceptable.

6-48

- ☐ A long term community septic tank and disposal area maintenance plan be submitted to the the Department of Public Works and Health Department and the Regional Water Quality Control Board for review prior to the filing of the final parcel or tract map.
- ☐ The community sewage system shall be designed by a Registered Civil Engineer and operated in accordance with county, state, federal and maintenance entity laws, standards and requirements. A waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final parcel or tract map.
- ☐ This land division shall be annexed to _____ prior to the filing of the final parcel or tract map for **water service/water and sewer service/sewer maintenance/community septic system maintenance/**_____.

Soils Report

- ☐ A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.
- ☐ Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final parcel or tract map. The date and person who prepared the report are to be noted on the map.

Utilities

- ☒ Electric and telephone lines shall be installed **underground** ~~overhead~~.
- ☒ Cable T.V. conduits shall be installed in the street.
- ☒ Gas lines shall be installed.
- ☐ A _____ feet public utility easement on private property along _____, plus those additional easements required by the utility company, be shown on the final parcel or tract map.

Design

- ☐ The lots shall be numbered in sequence.
- ☐ The _____ on lot _____ be removed or brought into conformance with the **Land Use Ordinance / Coastal Zone Land Use Ordinance** prior to filing the final parcel or tract map. A demolition permit may be required.
- ☐ The lot area of _____ shall contain a minimum area of _____ exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22/23.04.021).

Easements

6-49

- ☐ The property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel prior to filing of the final parcel or tract map.
- ☐ An open space easement be recorded for the open space parcel(s). It is to be held ***in single ownership / in common by the Homeowner's Association / or transferred to a public trust or conservancy agency approved by the Department of Planning and Building.*** The open space parcel is to be maintained as such in perpetuity.

Landscape Plans

- ☐ ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Section 22/23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
 - a. Drainage basin fencing. (***ONLY USE IF THE DRAINAGE BASIN HAS A DEPTH OF 2 FEET OR GREATER AS MEASURED FROM THE TOP OF THE RIM TO THE LOWEST PORTION OF THE BASIN***)
 - b. Drainage basin perimeter landscape screening. (***ONLY USE FOR FENCED BASINS***)
 - c. Landscaping for erosion control.
- ☐ All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within _____ days of completion of the improvements.

Mitigations ***PUT ANY MITIGATIONS FROM DEVELOPER STATEMENT HERE ONLY IF THEY CAN BE COMPLETED PRIOR TO THE RECORDATION OF THE MAP***

- ☐ _____
- ☐ _____

Additional Map Sheet



The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

CHOOSE APPLICABLE PROVISIONS

- a. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of drainage basin fencing in perpetuity.
- b. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of ***drainage basin / adjacent*** landscaping in a viable condition on a continuing basis into perpetuity.
- c. That secondary dwellings shall not be allowed on ***all lots within the land division / on lots*** _____.

6-50



The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

Vector Control and Solid Waste

- ☐ A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet **Land Use Ordinance / Coastal Zone Land Use Ordinance** requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

- ☐ Provide minimum fire flow of _____ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.
- ☐ The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
- ☐ Designate a fire lane within all the driveway areas. This lane to be minimum width of twenty (20) feet. *(USE FOR MULTI-FAMILY/COMMERCIAL PROJECTS ONLY)*

Parks and Recreation (Quimby) Fees

- ☐ Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total **number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them / or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.**
- ☐ For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

Affordable Housing Fee

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing in-lieu fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

6-51

- d. Designated building sites (and access drives) shall be shown on the additional map sheet reflecting the approved tentative map. **At the time of application for construction permits**, the applicant shall clearly delineate the approved building site and access drive on the project plans.
- e. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- f. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- g. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.
- h. The limits of inundation from a 100 year storm over lots 11 from ROAD creek / river shall be shown on the additional map and note the required building restriction in the on the sheet.
- i. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- j. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated _____ from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. (ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)
- l. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - A. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- m. PUT ANY MITIGATIONS FROM DEVELOPER'S STATEMENT HERE **ONLY IF THEY GO BEYOND RECORDATION OF THE MAP** _____

Covenants, Conditions and Restrictions

6-52

☒

The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:

CHOOSE APPLICABLE PROVISIONS

- a. On-going maintenance of drainage basin fencing in perpetuity.
- b. On-going maintenance of **drainage basin / adjacent** landscaping in a viable condition on a continuing basis into perpetuity.
- b. Maintenance of drainage basin landscaping.
- c. Maintenance of common areas.
- d. Secondary dwellings shall not be allowed.
- e. Designated building sites (and access drives) shall be shown on an exhibit attached to the CC&R's reflecting the approved tentative map.
- f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- h. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on an exhibit attached to the CC&R's. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year.
- i. Maintenance of all local streets within the subdivision ~~until acceptance by a public agency.~~
- j. The limits of inundation from a 100 year storm over lots // from _____ ~~creek / river~~ shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the in the CC&R's.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. (ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)
- l. _____

Low Cost Housing (USE IN COASTAL ZONE ONLY)

☐

Provide _____ residential units for low and moderate income families as defined by Section 50093 of the Health and Safety Code as part of the proposed project or elsewhere in the community. The agreement with the county for the development will include acknowledgment that it is feasible to provide a level of affordable housing in conjunction with this project. If qualified buyers have not purchased any of the _____ units within six months of the units being available for sale, and evidence can be provided that shows a reasonable advertising campaign was used to attract qualified buyers, the applicant may be relieved from the requirements to sell the units to qualified buyers.

Miscellaneous

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- ☒ This subdivision is also subject to the standard conditions of approval for all subdivisions using **community water and sewer / community water and septic tanks / individual wells and septic tanks**, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- ☒ A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
- ☐ Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
- ☐ Prior to the sale of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the county.
- ☐ All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.



**COUNTY OF SAN LUIS OBISPO
NEGATIVE DECLARATION ADDENDUM**

6-54 FOR OFFICIAL USE ONLY ()

ENVIRONMENTAL DETERMINATION NO. ED04-393 Tract 2644 Sub 2003-00246 DATE: 07/25/05

PROJECT/ENTITLEMENT:

Request by John Fetyko for a Tract Map and Conditional Use Permit to subdivide an existing 1.80-acre parcel into 8 parcels ranging between 4,828 and 6,910 square feet each for the purpose of sale and/or development, one 10,553 common space lot, and one non-buildable open space lot of 24,040 square feet. Off-site road improvements are proposed for Old County Road and Las Tablas Road. The project will result in the disturbance of approximately 1.28 acres of a 1.80 acre parcel. The division will create one on-site private access road. The proposed project is within the Residential Single Family land use category .

APPLICANT NAME: John Fetyko

ADDRESS: 6509 Monte Road, San Luis Obispo Ca, 93465

CONTACT PERSON: Glenn rider of EDA **Telephone:** 805/ 549-8659

PROPOSED USES/INTENT: The originally proposed Negative Declaration (issued on July 14, 2005) was a request for a Tract Map and Conditional Use Permit to subdivide an existing 1.80-acre parcel into 8 parcels ranging between 4,828 and 6,910 square feet each for the purpose of sale and/or development. One open space lot that consisted of 10,553 common space lot, and one non-buildable open space lot of 24,040 square feet. Off-site road improvements are proposed for Old County Road and Las Tablas Road. The project will result in the disturbance of approximately 1.28 acres of a 1.80 acre parcel. The proposed changes are as follows: a request for a Tract Map and Conditional Use Permit to subdivide an existing 1.80-acre parcel into 6 residential parcels ranging between 3,999 and 6,760 square feet each for the purpose of sale and/or development. One open space lot of approximately 43,097 square feet that consist of 10,045 access road , and one non-buildable 32,052 square feet open space. Off-site road improvements are proposed for Old County Road and Las Tablas Road. The project will result in the disturbance of approximately 1 acre of a 1.80 acre parcel. In addition, the initial study identifies removal of three oaks trees and impacts four oak trees. The new design will result in the removal of no oak tress and the impacts seven oak trees.

LOCATION: The west side of Old County Road, at 96 Old County Road, north of the Old County Road/Las Tablas Road (Canon Street) intersection in the community of Templeton. The site is in the Salinas River (Templeton) planning area.

FINDINGS: Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162), the Lead Agency may prepare an addendum to an adopted negative declaration where all of the following apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; 4) new information of substantial importance which was not known or could not have been known at the time of the adopted Negative Declaration.

Based on staff's determination that all of the above conditions apply, an addendum to the adopted Negative Declaration is appropriate. The basis for this conclusion is described in the following section. In addition, please refer to the original Negative Declaration for further discussion about all potentially significant issues originally identified for the proposed project.

BASIS FOR ADDENDUM: The following describes why each of the above-identified issue areas will not result in any significant additional impact. Some of the proposed lot are smaller to allow a larger open space parcel. The building areas have not changed. The following militations

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are still sufficient to reduce the impact to less than significant: ***Air Quality- The new project description will require approximately .28 acre less grading, which will have less impact on air quality. Biology - The new project description will require approximately .28 acre less grading, which will have less impact on the biological resources. In addition, the initial study identifies removal of three oaks trees and the impact of four oak trees. The new design will result in the removal of no oak trees and impacts seven oak trees. The building envelopes remain the same. Geology - The building envelopes remain the same requiring the same geologic investigations. Noise - The building envelopes remain in the same location so the noise impacts remain the same. Recreation - Requested trail will be constructed. Water - Development remains in the same location. The new project description will require approximately .28 acre less grading, which will have less impact on-site creek and has five percent more open space.***

LEAD AGENCY: County of San Luis Obispo

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the following person at the County Planning and Building Department, County Government Center, Room 310, San Luis Obispo, CA 93408-2040 or (805) 781-5600.

<u>ELIZABETH KAVAN AUGH</u>	<u>Elizabeth Kavanaugh</u>	<u>7/25/05</u>
Project Manager (print)	Signature	Date

G:\Virtual Project Files\Land Divisions\Fiscal 2003-2004\Tract Maps\SUB 2003-00246 - TR 0000 - Fetyko\Environmental Determination\NDadem.wpd



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COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Fetyko Tract Map and CUP SUB2003-00246; ED04-393

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise	<input checked="" type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Corbett Group, Inc.
Prepared by (Print)

[Signature]
Signature

05/09/05
Date

John McKenzie
Reviewed by (Print)

[Signature]
Signature

Ellen Carroll,
Environmental Coordinator
(for)

5/9/05
Date

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Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by John Fetyko for a Tract Map and Conditional Use Permit to subdivide an existing 1.80-acre parcel into 8 parcels ranging between 4,828 and 6,910 square feet each for the purpose of sale and/or development, one 10,553 common space lot, and one non-buildable open space lot of 24,040 square feet. Off-site road improvements are proposed for Old County Road and Las Tablas Road. The project will result in the disturbance of approximately 1.28 acres of a 1.80 acre parcel. The division will create one on-site private access road. The proposed project is within the Residential Single Family land use category and is located on the west side of Old County Road, at 96 Old County Road, north of the Old County Road/Las Tablas Road (Canon Street) intersection in the community of Templeton. The site is in the Salinas River (Templeton) planning area.

ASSESSOR PARCEL NUMBER(S): 041-031-006

SUPERVISORIAL DISTRICT # 1

B. EXISTING SETTING

PLANNING AREA: Salinas River, Templeton

LAND USE CATEGORY: Residential Single Family

COMBINING DESIGNATION(S): Flood Hazard

EXISTING USES: Undeveloped

TOPOGRAPHY: Gently to moderately sloping

VEGETATION: Grasses, coast live oaks, willows

PARCEL SIZE: 1.80 acres

SURROUNDING LAND USE CATEGORIES AND USES:

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<i>North:</i> Residential Single Family; Undeveloped, Toad Creek	<i>East:</i> Office and Professional/Commercial Retail; Offices, Auction House
<i>South:</i> Residential Single Family; Single family residences	<i>West:</i> Residential Single Family; Toad Creek, Single family residences

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project site is located at 96 Old County Road, at the northern intersection of Old County Road and Las Tablas Road (Canon Street), in the community of Templeton. The project site is within the Residential Single-Family land use designation, west of the central business district and east of Toad Creek (refer to Figures 1 through 3). The surrounding area is characterized by single-family residences (west, south, and north of Toad Creek), commercial and office uses (east), undeveloped areas (north) and Toad Creek (northwest property corner). The proposed project would be visible from Las Tablas Road (Canon Street) and Old County Road.

The proposed project would subdivide an approximately 1.80 acre parcel into eight parcels. Six residential parcels are proposed with the following sizes: Lot 1 (6,910 sq. ft.), Lot 2 (5,291 sq. ft.), Lot 3 (4,955 sq. ft.), Lot 4 (4,828 sq. ft.), Lot 5 (5,236 sq. ft.), and Lot 6 (5,780 sq. ft.). One residence would be allowed on each lot. Proposed Lot 7 (10,553 sq. ft.) is a private hammerhead access road, and Lot 8 (24,040 sq. ft.) would contain open space, a pedestrian trail and Toad Creek. Road improvements proposed along the Old County Road property frontage include widening within the existing right-of-way to accommodate for on-street parking, curb, gutter, and a meandering sidewalk. Las Tablas Road (Canon Street) improvements would include curb, gutter, and sidewalk along the property frontage. A 30-foot offer of dedication is located along the northern property boundary for the

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future construction of the realignment of Las Tablas Road. Approximately 1,769 cubic yards and 1.28 acres of a 1.80-acre site would be disturbed during construction of the proposed project (refer to Figures 4 and 5).

The project site is bounded to the south and west by single-family residential uses. Commercial development is located east of the project site and residential development is present on the northwest side of Toad Creek. Future development of six single-family residential units on the project site would be consistent with the Templeton Community Design Plan and compatible with surrounding development patterns. Dedication of a pedestrian trail along Toad Creek would be within the planned Salinas River trail system and consistent with County trail standards (refer to Section 11, Recreation). A landscape plan for the proposed trail and open space area would be required (refer to Section 4, Biology). In addition, the applicant is required to comply with Section 22.10.060, which requires that all exterior lighting is shielded to minimize glare and effects on night skies. No significant visual impacts are anticipated.

Mitigation/Conclusion. Based on the above discussion and lack of significant visual impacts, no mitigation measures are necessary.

2. AGRICULTURAL RESOURCES

- *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project sit is located within the Residential Single Family land use category. The soil types mapped for the project site include: Arbuckle-Positas complex (15-30% slope) and Hanford and Greenfield gravelly sandy loams (2-9 % slope). As described in the NRCS Soil Survey, these soils are considered Class VI for "non-irrigated" soil, and Class "II" to "IV" for "irrigated" soil. The project site is approximately 1.80 acres, and is vegetated with scattered coast live oak trees, riparian vegetation, and non-native trees and grasses. The proposed project is consistent with the land use category and no agricultural uses are present on or in the vicinity of the project site.

The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

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3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Based on the latest annual air monitoring station information (per the County's Annual Resource Summary Report, 2004), unacceptable PM10 levels were exceeded once in 2003 at the Atascadero and Paso Robles monitoring stations, which is down from the past three years (two exceedences per year). Ozone levels were exceeded once in 2003 at the Paso Robles monitoring station, after three years with no exceedences. The County has maintained attainment status for ozone.

The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e., application of the CEQA Air Quality Handbook) and implementation of Clean Air Plan (CAP) goals have helped reduce the formation of ozone. The project site is located within walking or biking distance to the central business district of Templeton.

Impact. As proposed, the project will result in the disturbance of approximately 1.28 acres of the project site and surrounding area. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the CAP.

Fugitive Dust (PM10). Implementation of the proposed project would result in the generation of dust, potentially affecting adjacent offices and residences, resulting in a potentially significant air quality impact. Based on the proximity of the project to residences, and businesses, there is sufficient ground disturbance to warrant construction dust control mitigation.

Mitigation/Conclusion. To mitigate for potential air quality impacts, the applicant has agreed to comply with APCD's standard construction dust control measures including: use of water trucks, reducing the amount of disturbed area, and rapid revegetation or building pad construction after grading (refer to Exhibit B for full list of measures). Based on the above discussion and

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implementation of mitigation measures, air quality impacts will be reduced to less than significant levels and no further measures are necessary.

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a loss of unique or special status species or their habitats?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Impact wetland or riparian habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site supports annual grassland and riparian vegetation, scattered oak trees, and non-native trees. Tree species present within the project area include coast live oak (*Quercus agrifolia*), juniper, and pine. Arroyo willow (*Salix lasiolepis*) and Fremont cottonwood (*Populus fremontii*) are present in the northeast corner of the project site, along Toad Creek. A *Riparian Boundary Delineation* (Althouse and Meade; January 21, 2004) was prepared for the project to identify the edge of riparian vegetation and habitat.

Special Status Wildlife. Toad Creek is a tributary of the Salinas River, and supports suitable habitat for California red-legged frog (*Rana aurora draytonii*), a federally threatened and California species of special concern. Although Toad Creek contains suitable habitat for the California red-legged frog, recent protocol-level surveys conducted in Toad Creek and its tributaries have yielded negative results for presence of the species (Essex, 2002; Morro Group, Inc. 2003). Search of the California Natural Diversity Database (CNDDB) (2003) yielded no known occurrences of California red-legged frogs within a five-mile radius of the project site. The closest California red-legged frog documented occurrence is adjacent to Highway 41, approximately six miles south of the project site. The oak trees on the project site provide potential habitat for nesting birds, which are protected by California Fish and Game Code Section 3500-3516.

Native or Important Vegetation. The County of San Luis Obispo considers oak woodland and individual oak trees sensitive native vegetation. Recent passage of SB1334 (Kuehl) further recognizes the importance of preserving oaks, and includes specific measures relating to tree diameter, monitoring replacement trees, and additional measures (e.g., easements). Three clustered coast live oaks are present on the project site on proposed Lot 2, near the northern property lines of proposed Lot 1 and Lot 2. Two coast live oaks are located within the County right-of-way of Old County Road, and two coast live oaks are located adjacent to the northern property line, outside of the project site (canopies extend onto the project site).

Riparian Habitat. Toad Creek and associated riparian vegetation is present within the northwest property corner of the project site. No site disturbance is proposed within the delineated riparian boundary.

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Impact.

Special-status Wildlife Species. Nesting birds may be disturbed or harmed by grading activities, disruptive construction equipment noise, and increased human activity near nesting areas, resulting in a potentially significant impact.

Native or Important Vegetation. Proposed sidewalk, parking, and access improvements would require grading within the canopy and/or rootzone of four large coast live oaks located adjacently north and east of the parcel. Interlocking pavers are proposed for the sidewalk underneath the dripline of coast live oak trees located on Old County Road. Future development and site access improvements on Lots 1 and 2 would require the removal of three clustered coast live oak trees. The geotechnical report prepared for the project (Buena Geotechnical Services; April 6, 2004) recommended removal of existing trees on site to ensure geotechnical suitability of future improvements. Oak tree impacts and removals require replacement planting and the proposed open space parcel provides adequate habitat for these trees.

In addition to replanting of oaks, SB1334 requires that either a fee be paid into an oak preservation/restoration fund or provide for a conservation easement. The County is currently in the process of developing a standardized process in which to provide for these alternatives. In the interim, as it applies to this project, the 30-foot riparian setback area (approximately 200 feet in length) within the proposed open space easement is considered an "upland extent" area that can support oak trees. Average mature canopy diameters for trees in the area are estimated at about 50 feet, which would equate to about 2,000 square feet per tree removed (2,000 for removed). After applying these numbers to the available setback area proposed as open space, this would nearly equal the area needed for the three oak trees being removed. Additional replacement planting area could include the riparian edge of the proposed trail corridor.

Riparian Habitat. The proposed project avoids disturbance of the sensitive riparian habitat located on site by establishment of an open space parcel. A trail corridor is proposed within the open space parcel, outside of the delineated riparian boundary. The Parks Division is only requesting dedication of the corridor at this time, and will construct the trail at a future date. Although site disturbance associated with the residential development is proposed approximately 40 feet from the riparian corridor, grading on the project site could impact riparian habitat if proper protection measures are not implemented prior to and during construction. Preparation of a sedimentation and erosion control plan and Stormwater Pollution Prevention Plan (SWPPP) would establish project limits and adequate measures to protect riparian resources during construction of the access road and initial grading. Significant impacts could occur if these plans are not properly implemented.

Mitigation/Conclusion. The applicant has agreed to several measures to reduce potential biological resource impacts to less than significant levels. Mitigation measures include: pre-construction nesting bird surveys, presence of a biological monitor during grading activities, oak tree protection, replacement and monitoring plans, delineated project limits, landscaping compatible with adjacent riparian vegetation and proper equipment re-fueling areas. The applicant is required to replace removed oaks at a 4:1 ratio (12 replacements) and impacted oaks at a 2:1 ratio (8 replacements). Replacement tree planting would be required in the riparian setback (and outside of the sewer easement). Requiring this area as open space with no future development, combined with the necessary tree replacement requirements to successfully reestablish oak trees would satisfy the conservation easement option provided in SB1334 for the mitigation of oak tree impacts. In addition, a Stormwater Pollution Prevention Plan (SWPPP) and a sedimentation and erosion control plan would be required for the proposed project prior to any site disturbance (refer to Section 6, Geology). Based on the above discussion and implementation of mitigation measures (refer to Exhibit B), no significant biological impacts are expected to occur, and no additional measures are necessary.

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5. CULTURAL RESOURCES - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project site is located in an area historically occupied by the Obispeno Chumash. A *Cultural Resource Investigation* (Parker and Associates; December 11, 2003) conducted on the project site identified isolated pieces of prehistoric chert core. These items do not indicate the existence of a prehistoric village, camp, or special use site and do not meet state criteria for a "significant" cultural resource. Evidence of historic use of the site consisted of portions of a fence, pottery pieces, and non-native shrubbery. No historic structures are present. No further archaeological materials were discovered and the site is not anticipated to contain significant resources. No historic structures are present and no paleontological resources are anticipated due to the underlying soil conditions and proximity to alluvial soils of Toad Creek.

Mitigation/Conclusion. Based on the results of the surface survey and above discussion, no significant cultural resource impacts are expected to occur. In the event archaeological resources are unearthed or discovered during construction, Section 22.10.040 would apply to the project, requiring presence of a qualified archaeologist and/or notification of the county Coroner if human remains are discovered (refer to Exhibit B). No additional measures are necessary.

6. GEOLOGY AND SOILS - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist-Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Geology. The topography of the project site is gently to moderately sloping with a perennial creek along the northern portion. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils. The potential for liquefaction of the soils mapped for the project site is considered moderate to high. A *Geotechnical Engineering Report* (Buena Geotechnical Services; April 6, 2004) prepared for the project identified the high density of onsite soils precluded liquefaction potential during a ground-shaking event; therefore, the potential for liquefaction is considered low.

Drainage. A portion of the project site is within the 100-year Flood Hazard designation for Toad Creek (located in the northwest corner of the project site). No site disturbance would occur within the floodway limits or riparian corridor due to established setbacks in proposed plans. As described in the NRCS Soil Survey, the soil is considered very poorly to moderately drained. Potential drainage impacts may occur if proper measures are not implemented prior to and during construction.

Sedimentation and Erosion. The soil on the project site as mapped by the NRCS is Arbuckle-Positas complex and Hanford and Greenfield gravelly sandy loams. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility and low shrink-swell characteristics. Due to the amount of proposed site disturbance in proximity to Toad Creek, sedimentation and erosion impacts may occur if proper measures are not implemented prior to and during construction to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors the SWPPP program.

Impact.

Geology. The proposed project plans have been revised since completion of the engineering report prepared for the project. Modifications to recommended mitigations may be required by the consulting geologist to ensure adequate design measures are implemented.

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Drainage. The proposed project would disturb approximately 1.28 acres of a 1.8 acre site within close proximity to the riparian corridor of Toad Creek. A drainage plan is required to minimize potential drainage impacts of future residential development on the project site (LUO Sec 22.52.080). This plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

Sedimentation and Erosion. Total grading activities and site disturbance would be approximately 1.28 acres for proposed improvements. Sedimentation and down-slope erosion may occur if adequate measures are not implemented prior to, during, and following construction.

Mitigation/Conclusion. Prior to approval for tract improvements, the applicant has agreed to submit updated information from Buena Geotechnical Services verifying proposed measures would adequately serve the revised project. The applicant is required to submit a drainage plan for future residential development. In addition, prior to recordation of the final map, the applicant is required to prepare a SWPPP and a Sedimentation and Erosion Control plan as specified in section 22.05.034 of the County Land Use Ordinance prior to issuance of permits (refer to Exhibit B). Implementation of these measures would reduce impacts to less than significant and no additional mitigation is required.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project site is not located in an area of known hazardous material contamination. The project is within a moderate severity risk area for fire. The project is not within the Airport Review area. Although equipment refueling onsite could release potentially hazardous materials into Toad Creek, proposed mitigation would ensure refueling is conducted in proper areas (refer to Section 4, Biology). The proposed project is required to comply with Templeton Fire Department regulations for residential development.

Mitigation/Conclusion. The proposed project was referred to the Templeton Fire Department and several conditions have been incorporated into the project for future residential development including

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installation of fire hydrants, fire sprinklers, access road requirements, and fuel modification (O'Sullivan; June 9, 2004). Based on the above discussion and implementation of mitigation measures, no impacts as a result of hazards or hazardous materials are anticipated, and no additional mitigation measures are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project is located adjacent to Las Tablas Road (Canon Street) to the west, and includes an offer of dedication for the future realignment of Las Tablas Road along the northern property line. The proposed residential project would not generate loud noises, or conflict with any sensitive noise receptors (e.g., residences).

Noise Exposure. The proposed project site is located approximately 2,500 feet east of Highway 101 and immediately east of Las Tablas Road. These roads are the primary source of noise in the area. According to the *County Noise Element*, the western property line of the project site is located within the 60 Ldn noise level contour (County of San Luis Obispo; May 1992). In the event Las Tablas Road is realigned to the northern property line, Lot 6 would be within the 60 Ldn noise contour. Proposed noise sensitive uses include residences.

Noise Generation. Implementation of the proposed project would potentially result in the generation of traffic trips, which would contribute to the cumulative generation of transportation-related noise. The proposed project site is located in the midst of a major highway, commercial development, and expanding residential development; therefore, generation of these trips would not result in a significant level of transportation-related noise.

Impact. The County Noise Element states that the maximum acceptable exterior noise level for residential development is 60 dB Ldn and the maximum acceptable interior noise level for residential development is 45 dB. Proposed Lot 1 and potentially Lot 6 would be located within the 60 dB Ldn noise contour for Las Tablas Road.

Mitigation/Conclusion. Based on the *County Noise Element*, buildings constructed with air conditioning or a mechanical ventilation system, windows and sliding glass doors mounted in low air infiltration rate frames, and solid core exterior doors with perimeter weather stripping and threshold seals would mitigate potential interior noise impacts to a level of insignificance (County of San Luis Obispo; May 1992). The applicant has agreed to include interior and exterior noise mitigation measures for future residences on proposed Lot 1 and Lot 6, which are within the 60 dB Ldn noise contour for Las Tablas Road (present and future). Based on the implementation of the above measures, potentially significant noise impacts would be reduced to a level of insignificance and no further measures are necessary.

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9. POPULATION/HOUSING -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create the need for substantial new housing in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Use substantial amount of fuel or energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Implementation of the proposed parcel map would result in the construction of six new residences in the community of Templeton. The project site is located in close proximity to the central business district and is surrounded on three sides by residential or commercial development. The future development would not displace existing housing or people, or use a substantial amount of fuel or energy to construct and maintain. Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project. No significant population and housing impacts are expected to occur as a result of the proposed parcel map.

Mitigation/Conclusion. Prior to map recordation, the applicant is required to pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee will not apply to any county-recognized affordable housing included within the project. No population or housing impacts are anticipated and no measures above what will be required by code are necessary.

10. PUBLIC SERVICES/UTILITIES

- Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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10. PUBLIC SERVICES/UTILITIES

- Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

g) Other: _____

☐
☐
☐
☐

Setting/Impact. The project area is served by the County Sheriff's Department and the Templeton Fire Department as the primary emergency responders. The Templeton Fire Station is approximately 0.43 mile to the south. The closest Sheriff substation is in Templeton, approximately 0.1 mile from the proposed project. The project is located in the Templeton Unified School District. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

a) Increase the use or demand for parks or other recreation opportunities?

☐
☒
☐
☐

b) Affect the access to trails, parks or other recreation opportunities?

☐
☐
☒
☐

c) Other _____

☐
☐
☐
☐

Setting/Impact. The northwest corner of the project site along the Toad Creek corridor is located within the Salinas River trail corridor, as shown on the County Trails Plan. The proposed project includes construction of a pedestrian pathway southeast of Toad Creek, within the proposed open space lot. The proposed project was referred to County Parks (pers. comm. Jan DiLeo; April 19, 2005) and due to a shortage of available maintenance staff, it was requested the project dedicate but not construct the proposed trail. The proposed project would contribute to the cumulative demand for recreation resources in the County.

Mitigation/Conclusion. The applicant has agreed to dedicate the proposed trail corridor and not construct the improvements. Future trail improvements would be constructed according to County's A-1(x) standard at the discretion of County Parks. Trail construction would be subject to the riparian protection measures required for the proposed project (refer to Section 4, Biology). The applicant would also pay Quimby and Building Division fees as required by the County Parks Division (refer to Exhibit B). Based on the above discussion and dedication of the trail corridor, recreation impacts would be less than significant.

12. TRANSPORTATION/ CIRCULATION - Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

a) Increase vehicle trips to local or areawide circulation system?

☐
☐
☒
☐

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12. TRANSPORTATION/ CIRCULATION - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is located approximately 2,500 feet east of Highway 101 and immediately east of Las Tablas Road. Future development will be accessed from Las Tablas Road (Canon Street), which is operating at acceptable levels. Referrals were sent to Public Works and Caltrans. Public Works (Mike Goodwin; June 3, 2004) identified required road improvements along Las Tablas Road and Old County Road and site access restrictions. The proposed project has been designed with incorporation of required improvements.

The County of San Luis Obispo, in consultation with the California Department of Transportation (Caltrans), is currently proposing improvements to the Highway 101/Las Tablas Road interchange. The first phase of improvements would include the addition of left turn channelization on Las Tablas Road at the interchange ramps, and the signalization of the Las Tablas Road intersections at the southbound and northbound Highway 101 ramps.

The proposed project is estimated to generate about 60 trips per day, based on the Institute of Traffic Engineer's manual of 10 daily trips per unit. This small amount of additional traffic will not result in a significant change to the existing road service levels or traffic safety.

Impact. The proposed project was referred to Templeton Fire Department (Greg O'Sullivan; June 9, 2004) and the proposed access may not provide adequate site distance on Las Tablas Road (Cannon Street) due to the existing dog-leg curve immediately northwest of the project site. Public Works (Mike Goodwin; July 14, 2004) identified that verification of adequate site distance would be required.

do final map 6-70

Mitigation/Conclusion. To mitigate for cumulative traffic impacts, the applicant has agreed to pay fees to Templeton Area Fee Program to improve the existing poor condition of the Las Tablas Road interchange. Prior to approval, the applicant shall provide verification that the proposed access road meets county safety standards for site distance (refer to Exhibit B). Based on the above discussion and implementation of mitigation measures, no impacts to traffic safety are anticipated and no additional measures are required.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Adversely affect community wastewater service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project site is located within the service area of the Templeton Community Services District (TCSD) wastewater system. The TCSD has indicated that sewer service to the project site is available and that the applicant is responsible for improvements to tie-in to the community wastewater system (William G. VanOrden; June 28, 2004). The proposed sewer line location is shown on project plans, within the private access road right-of-way.

The applicant is required to provide a letter from TCSD to County Environmental Health indicating purveyance of wastewater service prior to recordation of the final map (Laurie Salo; June 3, 2004).

Mitigation/Conclusion. The applicant shall submit a letter to County Environmental Health indicating TCSD will be providing service to the project site. Based on the above discussion, no wastewater impacts are anticipated and no mitigation measures are required.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Water Use. The project site is within the TCSD water system. TCSD has indicated adequate resources are available to serve the project site and water availability has been confirmed on the project site (William G. VanOrden; June 3, 2004). The applicant is responsible for construction of improvements to tie-in to the existing water system. County Environmental Health has reviewed the project and would require a letter from TCSD indicating provision of water service, as well as dismantling of any existing wells on the project site (Laurie Salo; June 14, 2004). Based on available information, the proposed water source is not known to have any significant availability or quality problems. Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 5.1 acre feet/year (AFY)

$$6 \text{ residential lots (w/primary (0.85 afy) X 6 lots) = 5.1 afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989).

No significant water use impacts are anticipated and no mitigation measures are necessary.

Surface Water. The topography of the project site is gently to moderately sloping. Toad Creek crosses the project site at the northeast property corner. Dense riparian vegetation is present along the creek corridor. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility.

Impact.

Surface Water. As proposed, the project will result in the disturbance of approximately 1.28 acres of a 1.80-acre parcel. Due to the amount of site disturbance and proximity of surface water, a sedimentation and erosion control plan and SWPPP are required for the proposed project (refer to Section 6, Geology and Soils). Implementation of these plans would reduce impacts on surface water associated with the proposed project to less than significant levels.

Mitigation/Conclusion. Based on the above discussion and implementation of mitigation measures, significant impacts to water resources are not anticipated and no further measures are necessary.

15. LAND USE - Will the project:

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Salinas River Area Plan, Templeton Community Design Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used). Referrals were sent to outside agencies to review for policy consistencies (e.g., Templeton Fire Department, Environmental Health, County Parks, etc.).

The proposed subdivision clusters the residential development in order to preserve open space along the Toad Creek corridor, consistent with Section 22.104.020 of the County Land Use Ordinance. In addition the applicant has completed an *Agency Agreement for Riparian Lands* with the Templeton Community Services District for dedication of the riparian water rights of the property in exchange for purveyance of water services (Templeton Community Services District; March 24, 2004). The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study because the site is zoned for and surrounded by residential development.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of</i>				

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- c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

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For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

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Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	None
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input checked="" type="checkbox"/>	County Parks Department	In File**
<input checked="" type="checkbox"/>	Larry Kelly	Attached
<input checked="" type="checkbox"/>	CA Department of Transportation	None
<input checked="" type="checkbox"/>	Templeton Community Service District	Attached
<input checked="" type="checkbox"/>	Other <u>Charter Cable</u>	In File**
<input checked="" type="checkbox"/>	Other <u>County Planning Addressing</u>	Attached

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> Salinas River Area Plan and Update EIR
<u>County documents</u>	<input checked="" type="checkbox"/> Templeton Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input checked="" type="checkbox"/> Other <u>Templeton Community Design Plan</u>
<input type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Buena Geotechnical Services, LLC. April 6, 2004. *Geotechnical Engineering Report for 96 Old County Road Templeton, California.*

Parker and Associates. December 11, 2003. *Cultural Resource Investigation of the Fetyko Parcels APN 041-031-005, 006, 013 Old County Road, Templeton.*

Templeton Community Services District. March 24, 2004. *Agency Agreement for Riparian Lands.*

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Exhibit B - Mitigation Summary Table

Air Quality

AQ-1 During construction, to control dust on the project site, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans prior to construction permit issuance:

- a. Reduce the amount of the disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
- c. All dirt stock-pile areas should be sprayed daily as needed.
- d. Permanent dust control measures should be implemented as soon as possible following completion of any soil disturbing activities.
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, or other loose materials are to be covered or should maintain at least two feet of free board (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increase watering, as necessary, to prevent transport of dust off site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons all be provided to the APCD prior to land use clearance of map recordation and land use clearance for finish grading of the structure.

Biological Resources

BR-1 Prior to issuance of construction permits, the applicant shall provide funding for an environmental monitor for initial grading work (including vegetation removal) within 50 feet of the riparian corridor (Toad Creek). The monitor shall ensure project limits are established to adequately protect riparian resources and proper tree protection measures are implemented. The monitor will prepare a construction monitoring plan that will include (1) goals, responsibilities, authorities, and procedures for verifying compliance with environmental mitigations; (2) lines of communication and reporting methods; (3) daily and weekly reporting of compliance; (4) construction crew training regarding environmental sensitivities; (5) authority to stop work; and (6) action to be taken in the event of non-compliance.

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BR-2 Prior to issuance of construction permits, the applicant shall clearly show on the project plans the type and location of tree protection measures to be employed. All trees to remain on or off-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas when possible. During grading in the root zone, care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

BR-3 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

BR-4 Prior to issuance of construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project (three removed, twelve replaced), and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed (four impacted, eight replaced). No more than 3 oak trees having a five inch diameter or larger at four feet from the ground shall be removed as a result of the development of the project, and no more than 4 oak trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

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- BR-5** Throughout the life of the project, there shall be no cutting, alteration or disturbance of the riparian corridor or oak tree replanting area, with the exception of sewer work conducted within the sewer easement.
- BR-6** Prior to approval of construction permit, the "Project Limits" shall be clearly delineated on all construction plans. Prior to any construction work beginning, including any vegetation clearing on the project site, sturdy high-visibility fencing shall be installed to protect this habitat. This fencing shall be placed as far away as possible and no closer than 25' from the edge of existing riparian vegetation. Fencing may be placed closer than 25' if it is determined by the environmental monitor that no adverse impacts to the habitat would result. No construction work (including storage of materials) shall occur outside of the "Project Limits". Any required fencing shall remain in place during the entire construction period and checked as needed by the resident engineer.
- BR-7** All vegetation planted within the proposed open space (Lot 7) shall be native and compatible with the adjacent riparian habitat.
- BR-8** During construction, equipment refueling shall be done in non-sensitive areas and such that any spills can be easily and quickly contained and cleaned up without entering the creek. Any necessary remedial work shall be done immediately to avoid surface or ground water contamination. Lined concrete washouts shall be at least 100' from top of bank.
- BR-9** To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.
- BR-10** Replacement trees shall be planted within the 30' riparian setback area between the riparian corridor and proposed trail. Future development shall be prohibited from activities detrimental to oak trees.
- BR-11** As part of individual lot development, landscaping on the entire project site shall be limited to native species or species that are non-invasive to oaks. Landscaping restrictions shall be included on CC&R's if established for future development.
- BR-12** If grading and construction activities occur during the nesting season (March 1 through September 1), to avoid impacts to nesting birds, the applicant shall retain a County-approved qualified biologist to conduct nesting bird surveys immediately prior to site disturbance. If nesting birds are discovered, all construction activity within a 500-foot buffer for listed bird species nests and a 100-foot buffer for other non-listed bird nests shall halt until the chicks have fledged or left the area.

Cultural Resources

- CR-1** In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

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CR-1 In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

- a. Construction activities shall cease, and the Environmental Coordinator and Department of Planning and Building shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Environmental Coordinator and Department of Planning and Building so that proper disposition may be accomplished.

Geology and Soils

GS-1 Prior to construction of site improvements, the applicant shall submit revised information from Buena Geotechnical Services indicating revisions or additions to recommendations included in the report for the project dated April 6, 2004.

GS-2 Prior to construction of site improvements, the applicant shall submit a Storm Water Pollution Prevention Plan to the Regional Water Quality Control Board and an Erosion and Sedimentation Control Plan shall be prepared by a certified sediment and erosion control specialist, registered civil engineer, registered architect or landscape architect, certified California nurseryperson, or licensed landscape contractor. The plan shall consist of graphic and narrative information of sufficient clarity to indicate the nature, extent, location and placement recommendations of the erosion and sedimentation control measures proposed. The location of all practices, methods and devices shall be shown on the grading plan, or on a separate plan attached to the grading plan. The plan shall contain, but need not be limited to, all of the following information:

- a. Grading limits shall be graphically defined on the plan and staked out before site disturbance begins.
- b. Estimates of sediment yields before, during, and after construction of the project for a three-year period or until revegetation is established.
- c. Proposed methods and a description of the practices to be used to protect exposed erodible areas during and after construction, including temporary and permanent mulching, seeding, or other recognized surface stabilization measures.
- d. Proposed temporary and final methods and a description of the practices to be used for cut or fill slopes to prevent erosive surface runoff, including earth or paved interceptors and diversions, energy absorbing structures, or devices and techniques to reduce the velocity of runoff water.
- e. Proposed methods and description of the temporary and final practices to retain sediment on the site, including: sediment basins and traps, vegetative filter strips, or other recognized measures; a schedule for their maintenance and upkeep; provisions for responsibility of maintenance; and design criteria for the trapping efficiency and storage capacities of sediment basins for flows from a ten-year storm.

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approved plans. A schedule for maintenance and upkeep of revegetated areas shall be included.

- g. The type, location, and extent of pre-existing and undisturbed vegetation on the site.
- h. Descriptions of proposed methods to limit access routes and stabilize all access points, and to delineate clearing limits, easements, setbacks, sensitive areas, buffer areas and drainage courses.

Noise

- N-1 Prior to issuance of construction permits for proposed Lot 1 and Lot 6**, the applicant shall submit plans showing the following: buildings on these lots shall be constructed with air conditioning or a mechanical ventilation system, windows and sliding glass doors mounted in low air infiltration rate frames, and solid core exterior doors with perimeter weather stripping and threshold seals or comparable measures.
- N-2 Prior to issuance of construction permits for proposed Lot 1 and Lot 6**, the applicant shall submit plans showing that the house/wall design provides adequate noise protection from Las Tablas Road for useable outdoor areas.

Recreation

- R-1 Prior to recordation of final map**, the applicant shall dedicate the proposed trail corridor to County Parks for future construction of a trail according to the County's A-1(x) standard. The applicant shall pay applicable fees as required.

Transportation

- TR-1 Prior to recordation of final map**, the applicant shall provide verification that the proposed access road meets county safety standards for site distance.
- TR-2 Prior to recordation of final map**, the applicant shall submit documentation showing a paid contribution to the County Local Traffic Impact Fee Program for the North Templeton area.

Wastewater

- WW-1 Prior to recordation of final map**, the applicant shall submit a letter to County Environmental Health indicating TCSD will be providing service to the project site and existing wells have been dismantled.

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**DEVELOPER'S STATEMENT FOR THE
FETYKO TRACT MAP/CONDITIONAL USE PERMIT; SUB 2003-00246**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

AESTHETICS

A-1 Prior to issuance of any construction permits associated with this tract map, the applicant shall submit plans that verify the proposed development meets all the guideline of residential single family residence sections of the Templeton Community Design Plan except Guideline V.A7 which reads "Where a proposed subdivision is adjacent to a collector street, locate residences to face the collector street with driveways and garages fronting onto rear alley. Front yard set backs should be 30 feet"

A-2 Prior to issuance of any construction permits associated with this tract map, the applicant shall submit plans that verify proposed development is using a step foundation and related grading is minimized.

A-3 Prior to final map approval, the applicant shall submit a county approved landscape plan and implement the approved landscape plan for the open space parcel and the fenced area along Old County Road.

A-4 Prior to final map approval, the applicant shall install the approved fencing along Old County Road that comply with the Templeton Community Design Plan.

A-5 Prior to final map approval, the applicant shall submit an exterior lighting plan that meets Land Use Ordinance Section 22.10.060 and the Templeton Community Design Plan , which requires that all exterior lighting is shielded to minimize glare and effects on night skies. No significant visual impacts are anticipated

Monitoring: The Department of Planning and Building shall verify compliance.

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AIR QUALITY

AQ-1 During construction, to control dust on the project site, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans prior to construction permit issuance:

- a. Reduce the amount of the disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
- c. All dirt stockpile areas should be sprayed daily as needed.
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, or other loose materials are to be covered or should maintain at least two feet of free board (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increase watering, as necessary, to prevent transport of dust off site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons all be provided to the APCD prior to land use clearance of map recordation and land use clearance for finish grading of the structure.

<p>Monitoring: The Department of Planning and Building, in consultation with the APCD, shall verify implementation of required measures.</p>

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BIOLOGICAL RESOURCES

BR-1 Prior to issuance of construction permits, the applicant shall provide funding for an environmental monitor for initial grading work (including vegetation removal) within 50 feet of the riparian corridor (Toad Creek). The monitor shall ensure project limits are established to adequately protect riparian resources and proper tree protection measures are implemented. The monitor will prepare a construction monitoring plan that will include (1) goals, responsibilities, authorities, and procedures for verifying compliance with environmental mitigations; (2) lines of communication and reporting methods; (3) daily and weekly reporting of compliance; (4) construction crew training regarding environmental sensitivities; (5) authority to stop work; and (6) action to be taken in the event of non-compliance.

Monitoring: The Department of Planning and Building shall verify retention of environmental monitor.

BR-2 Prior to issuance of construction permits, the applicant shall clearly show on the project plans the type and location of tree protection measures to be employed. All trees to remain on or off-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas when possible. During grading in the root zone, care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

Monitoring: The Department of Planning and Building shall verify compliance.

BR-3 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

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Monitoring: The Department of Planning and Building shall verify compliance.

BR-4 Prior to issuance of construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project (three removed, twelve replaced), and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed (four impacted, eight replaced). No more than 3 oak trees having a five inch diameter or larger at four feet from the ground shall be removed as a result of the development of the project, and no more than 4 oak trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Monitoring: The Department of Planning and Building shall verify receipt and implementation of tree replacement plan.

BR-5 Throughout the life of the project, there shall be no cutting, alteration or disturbance of the riparian corridor or oak tree replanting area, with the exception of sewer work conducted within the sewer easement.

Monitoring: The Department of Planning and Building shall verify compliance. The Department of Planning and Building shall verify protection of riparian vegetation.

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BR-6 Prior to approval of construction permit, the “Project Limits” shall be clearly delineated on all construction plans. Prior to any construction work beginning, including any vegetation clearing on the project site, sturdy high-visibility fencing shall be installed to protect this habitat. This fencing shall be placed as far away as possible and no closer than 25' from the edge of existing riparian vegetation. Fencing may be placed closer than 25' if it is determined by the environmental monitor that no adverse impacts to the habitat would result. No construction work (including storage of materials) shall occur outside of the “Project Limits”. Any required fencing shall remain in place during the entire construction period and checked as needed by the resident engineer.

Monitoring: The Department of Planning and Building shall verify compliance. The Department of Planning and Building shall verify establishment of “Project Limits”.

BR-7 All vegetation planted within the proposed open space (Lot 7) shall be native and compatible with the adjacent riparian habitat.

Monitoring: The Department of Planning and Building shall verify compliance.

BR-8 During construction, equipment refueling shall be done in non-sensitive areas and such that any spills can be easily and quickly contained and cleaned up without entering the creek. Any necessary remedial work shall be done immediately to avoid surface or ground water contamination. Lined concrete washouts shall be at least 100' from top of bank.

Monitoring: The Department of Planning and Building shall verify compliance.

BR-9 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

Monitoring: The Environmental Coordinator shall verify compliance.

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BR-10 Replacement trees shall be planted within the 30' riparian setback area between the riparian corridor and proposed trail. Future development shall be prohibited from activities detrimental to oak trees.

Monitoring: The Department of Planning and Building shall verify compliance.

BR-11 As part of individual lot development, landscaping on the entire project site shall be limited to native species or species that are non-invasive to oaks. Landscaping restrictions shall be included on CC&R's if established for future development.

Monitoring: The Department of Planning and Building shall verify compliance.

BR-12 If grading and construction activities occur during the nesting season (March 1 through September 1), to avoid impacts to nesting birds, the applicant shall retain a County-approved qualified biologist to conduct nesting bird surveys immediately prior to site disturbance. If nesting birds are discovered, all construction activity within a 500-foot buffer for listed bird species nests and a 100-foot buffer for other non-listed bird nests shall halt until the chicks have fledged or left the area.

Monitoring: The Department of Planning and Building shall verify compliance.

CULTURAL RESOURCES

CR-1 In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

- a. Construction activities shall cease, and the Environmental Coordinator and Department of Planning and Building shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Environmental Coordinator and Department of Planning and Building so that proper disposition may be accomplished.

Monitoring: The Department of Planning and Building shall verify compliance. The Department of Planning and Building shall be notified in the event of cultural discovery.

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GEOLOGY AND SOILS

GS-1 Prior to construction of site improvements, the applicant shall submit revised information from Buena Geotechnical Services indicating revisions or additions to recommendations included in the report for the project dated April 6, 2004.

Monitoring: The Department of Planning and Building shall verify compliance. The Department of Planning and Building shall verify receipt of required documents.

GS-2 Prior to construction of site improvements, the applicant shall submit a Storm Water Pollution Prevention Plan to the Regional Water Quality Control Board and an Erosion and Sedimentation Control Plan shall be prepared by a certified sediment and erosion control specialist, registered civil engineer, registered architect or landscape architect, certified California nurseryperson, or licensed landscape contractor. The plan shall consist of graphic and narrative information of sufficient clarity to indicate the nature, extent, location and placement recommendations of the erosion and sedimentation control measures proposed. The location of all practices, methods and devices shall be shown on the grading plan, or on a separate plan attached to the grading plan. The plan shall contain, but need not be limited to, all of the following information:

- a. Grading limits shall be graphically defined on the plan and staked out before site disturbance begins.
- b. Estimates of sediment yields before, during, and after construction of the project for a three-year period or until revegetation is established.
- c. Proposed methods and a description of the practices to be used to protect exposed erodible areas during and after construction, including temporary and permanent mulching, seeding, or other recognized surface stabilization measures.
- d. Proposed temporary and final methods and a description of the practices to be used for cut or fill slopes to prevent erosive surface runoff, including earth or paved interceptors and diversions, energy absorbing structures, or devices and techniques to reduce the velocity of runoff water.
- e. Proposed methods and description of the temporary and final practices to retain sediment on the site, including: sediment basins and traps, vegetative filter strips, or other recognized measures; a schedule for their maintenance and upkeep; provisions for responsibility of maintenance; and design criteria for the trapping efficiency and storage capacities of sediment basins for flows from a ten-year storm.
- f. Proposed methods, application technique, seed and fertilizer rate, sequence, and description of final erosion control practices for revegetation of all surfaces disturbed by vegetation removal, grading, haul roads, or other improved surfaces authorized by approved plans. A schedule for maintenance and upkeep of revegetated areas shall be included.
- g. The type, location, and extent of pre-existing and undisturbed vegetation on the site.
- h. Descriptions of proposed methods to limit access routes and stabilize all access points, and to delineate clearing limits, easements, setbacks, sensitive areas, buffer areas and drainage courses.

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Monitoring: The Department of Planning and Building shall verify receipt of required plans.

NOISE

- N-1 Prior to issuance of construction permits** for proposed Lot 1 and Lot 6, the applicant shall submit plans showing the following: buildings on these lots shall be constructed with air conditioning or a mechanical ventilation system, windows and sliding glass doors mounted in low air infiltration rate frames, and solid core exterior doors with perimeter weather stripping and threshold seals or comparable measures.

Monitoring: The Department of Planning and Building shall verify receipt of required elements on plans, and implementation of noise mitigation.

- N-2 Prior to issuance of construction permits for proposed Lot 1 and Lot 6**, the applicant shall submit plans showing that the house/wall design provides adequate noise protection from Las Tablas Road for useable outdoor areas.

Monitoring: The Department of Planning and Building shall verify receipt of required elements on plans, and implementation of noise mitigation.

RECREATION

- R-1 Prior to recordation of final map**, the applicant shall dedicate the proposed trail corridor to County Parks for future construction of a trail according to the County's A-1(x) standard. The applicant shall pay applicable fees as required.

Monitoring: The Department of Planning and Building, in consultation with the County Parks Division, shall verify compliance.

TRANSPORTATION

- TR-1 Prior to recordation of final map**, the applicant shall provide verification that the proposed access road meets county safety standards for site distance.

Monitoring: The Department of Planning and Building, in consultation with the Department of Public Works, will verify adequate site distance.

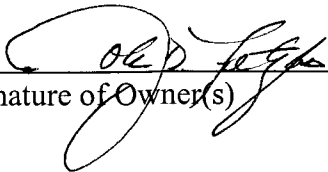
6-89

WASTEWATER

WW-1 Prior to recordation of final map, the applicant shall submit a letter to County Environmental Health indicating TCSD will be providing service to the project site and existing wells have been dismantled.

Monitoring: The Department of Planning and Building shall verify compliance.
The Department of Planning and Building shall verify receipt of letter to Environmental Health.

The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.



Signature of Owner(s)

7/8/05

Date

John D. Felto

Name (Print)